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Webster

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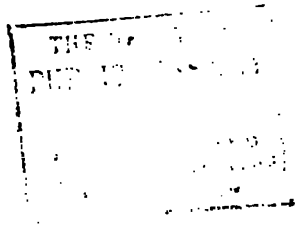

Daniel Webster

THE WISDOM AND ELOQUENCE

OF

DANIEL WEBSTER.

COMPILED BY

CALLIE L. BONNEY.

NEW YORK:
JOHN B. ALDEN, PUBLISHER.
1886.

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PREFATORY NOTICE.

Demosthenes's Oration for the Crown ; Cicero's description of the Crucifixion of Publius Gavius Cosanus ; Lord Chatham's Motion for Address to the Throne ; Burke on the Impeachment of Warren Hastings ; Fox's Rejection of Bonaparte's Overtures for Peace ; Sheridan on the Trial of Warren Hastings ; Pitt's Address for Prosecution of the War in 1803 ; Lord Brougham on the Reform Bill of 1830; Patrick Henry on the Stamp Act ; Clay's Address on the Emancipation of South America; and Calhoun's Speech on the Loan Bill ; are, I believe, universally considered the most sparkling brilliants of Wisdom and Eloquence of those gifted orators. Against them all I place the Cornerstone Address at Bunker Hill ; The Eulogy upon Adams and Jefferson ; The Reply to Hayne, and the Argument in the Girard Will Case by the American Statesman Daniel Webster, as justly entitling him to the highest rank among the world's great orators.

C. L. B.

CHICAGO, *Feb.*, 1886.

BIOGRAPHICAL SKETCH.

DANIEL WEBSTER was born at Salisbury, N. H., Jan 18, 1782. and died Oct. 24, 1852, at Marshfield, Mass. He was the second son of Ebenezer Webster and of his second wife, Abigail Eastman, from whom he derived most of his early education.

While at Phillips Exeter Academy, where he went in 1796, he gave promise of future renown, but never had the courage to make a declamation. In the Autumn of 1797 he entered Dartmouth College, where he read widely—partly supporting himself, as well as aiding his elder brother. In 1801 he graduated, and at once entered the law office of Thos. W. Thompson, who was afterwards Congressman and U. S. Senator.

From the New-year 1802 to following September he was principal of Fryeburg Academy, Maine; having a salary of $350. per year; which income he augmented by copying for the Register of Deeds. In 1804 he entered the office of Christopher Gore—afterward Governor of Massachusetts, and U. S. Senator—to finish his legal studies. He was admitted to the bar of the court of Common Pleas, in the spring of 1805, and practised for a year. He was admitted to the Superior Court of New Hampshire in 1806, and established himself at Portsmouth. At this time party spirit was high, and Mr. Webster, who had inherited the principles of the Federal party, advocated them on public occasions, but did not seriously embark in politics until some years later.

At the declaration of war in 1812, he had attained a commanding reputation and was elected to Congress: he took his seat at special session of May, 1813, and was placed on the Committee of Foreign Affairs. Soon after he moved a series of resolutions on the repeal of the Berlin and Milan decrees, and delivered his maiden speech on that subject, June 10, 1813. His subsequent speeches on the Increase of the Navy gave him a position in the first rank of debaters. He maintained friendly relations on both sides of the House, and obtained the respect of those deeply opposed to him in a political way. He was re-elected to Congress in 1814. In 1816 he introduced an important resolution requiring all payments to the Treasury to be made in specie or its equivalents, and thus restored the depreciated currency of the country.

At the close of the session in 1816 Mr. Webster removed to

Boston, where he resided the remainder of his life, with the exception of time spent officially in Washington.

The Dartmouth College Case established his reputation at the Supreme Court of the U. S. and he was afterward retained in almost every important case argued at Washington. Among these were the Gibbons and Ogden cases (the great steamer monopoly case); the case of Ogden and Saunders, (State insolvent laws); the Charles River Bridge case; the Alabama Bank case; the validity of Mr. Girard's Will; the Rhode Island Charter case; and the Great India-rubber case, which he argued the last year of his life. In the trials of Goodridge and the great *cause célèbre* of Knapp, Mr. Webster's skill as a criminal lawyer has never been surpassed.

In 1820 he was a member of the Massachusetts Convention to revise the Constitution of the State after the separation of Maine.

In the spring of 1839 Mr. Webster made a hasty tour in Scotland, England, and France, and upon his return, his name was prominently brought forward as candidate for the Vice Presidency, with Harrison, but it not being deemed advisable that the two officials should be from the same section of the Union, Mr. Webster withdrew his name, and Mr. Tyler's was substituted. Mr. Harrison, upon his election, offered to Mr. Webster his choice of the cabinet places; and it was finally decided that he should take charge of the Department of State.

Mr. Webster retired from the Tyler administration in the spring of 1843; and while it continued, remained in private life, for the first time in twenty years, much occupied with his professional duties.

In the re-organization of the cabinet by Mr. Fillmore, after President Taylor's death in 1850, Mr. Webster was again called to the Department of State.

The few closing months of his life were spent at Marshfield, Massachusetts, and the last public business in which he was engaged, was the matter of the American Fisheries off the coast of the British Provinces. Aware of his failing health, which prevented prompt discharge of his duties, he tendered his resignation, which was declined by the President.

Mr. Webster was of commanding and imposing person. He had a very large head, with great, expressive eyes. His voice was deep, and powerful; his action, if not altogether graceful, was well timed and effective. He was fond of field sports, especially of fishing, and was an excellent shot. He was social, with almost unequalled conversational powers, and a regular attendant at public worship.

r. Webster early in life married Grace Fletcher of New
en, and had four children. Charles, Julia, Edward, and
:her. Upon the death of his first wife, he married in 1829
)line Bayard Le Roy of New York.

:veral editions of his works were published during his life-
. Two volumes of his *Private Correspondence* were published
;58 by his son, and his biography has been written by Geo.
nor Curtis of New York. Reference is also given to *Daniel*
ster and his Contemporaries by Charles W. March of New
:.

ıe most important speeches, debates, and letters of Daniel
ster, with subjects, dates, and place of delivery are as fol-
:—

PUBLIC SPEECHES AND DEBATES.

First Settlement of New England—At Plymouth	Dec. 22, 1820.
Bunker Hill Monument.—At Bunker Hill	June 17, 1825.
)letion of the Bunker Hill Monument,—At Bunker Hill, June 17, 1843.	
ıs and Jefferson,—At Boston	August 2, 1826.
Election of 1825,—At Boston	April 3, 1825.
r at Faneuil Hall,—At the Hall	June 5, 1828.
n Mechanics, Institute,—Before the Institute	Nov. 12, 1828.
: Dinner at New York	March 10, 1831.
Character of Washington,—At Washington	Feb. 22, 1832.
nal Republican Convention at Worcester	Oct. 12, 1832.
tion at Buffalo	June, 1833.
tion at Pittsburg	July 8, 1833.
tion at Bangor	August 25, 1835.
ıtation of a Vase	Oct. 12, 1835.
tion at New York	March 15, 1837.
tion at Wheeling	May 17, 1837.
tion at Madison	June 1, 1837.
Dinner at Faneuil Hall	July 24, 1838.
Agricultural Society,—At Oxford	July 18, 1839.
ıgriculture of England,—At Boston	Jan. 13, 1840.
Meeting at Saratoga	August 19, 1840.
Principles and Purposes	Sept. 10, 1840.
h in Wall Street	Sept. 28, 1840.
Convention at Richmond	Oct. 5, 1840.
·ks to the Ladies of Richmond	Oct. 5, 1840.
tion at Boston	Sept. 30, 1842.
'ortheastern Boundary	April 15, 1843.
ntion at Andover	Nov. 9, 1843.
anding at Plymouth	Dec. 22, 1843.
Meeting at Albany	Aug. 27, 1844.
Convention at Philadelphia	Oct. 1, 1844.
ntion at Valley Forge	Oct. 3, 1844.
stice Story	Sept. 12, 1845.
Dinner at Philadelphia	Dec. 2, 1846.
rn Tour	May 10, 1847.
ıg of the Northern Railroad	Nov. 17, 1847.
ı at Marshfield	Sept. 1, 1848.
ı in Faneuil Hall previous to the election of 1848	Oct. 24, 1848.
ah Mason	Nov. 14, 1848.
l of the Sons of New Hampshire	Nov. 7, 1849.

Pilgrim Festival at New York - - - - - - Dec. 22, 1850.
Visit to Buffalo in 1851 - - - - - - - May. 21, 1851.
Speech to the Young Men of Albany - - - - May 28, 1851.
The Addition to the Capitol - - - - - July 4, 1851.
Qualifications for Office - - - - - - Dec. 4, 1820.
Basis of the Senate - - - - - - - Dec. 15, 1820.
Independence of the Judiciary - - - - - Dec. 30, 1820.
Bank of the U. S.,—House of Rep. - - - - Jan. 2, 1815.
The Legal Currency,—House of Rep. - - - April 26, 1816.
The Revolution in Greece,—House of Rep. - - Jan. 19, 1824.
The Tariff,—House of Rep. - - - - - April 2, 1824.
The Judiciary,—House of Rep. - - - - - Jan. 4, 1826.
The Panama Mission,—House of Rep. - - - April 14, 1826.
Revolutionary Officers, U. S. Senate - - - - April 25, 1828.
Second Speech on the Tariff,—U. S. Senate - - May 9, 1828.
First Speech on Foot's Resolution,—U. S. Senate - Jan. 20, 1830.
Second Speech on Foot's Resolution,—U. S. Senate - Jan. 26, 27, 1830
Last Remarks on Foot's Resolution,—U. S. Senate - Jan. 27, 1830.
The Nomination of Mr. Van Buren as Minister to England —U. S. Senate - - - - - - - - - Jan. 24, 1832.
The Apportionment of Representation,—U. S. Senate - April 5, 1832.
Bank of the U. S.,—U. S. Senate - - - - - May 25, 1832.
Further Remarks on Bank of the U. S.,—U. S. Senate - May 28, 1832.
The Presidential Veto of the U. S. Bank Bill - - - July 11, 1832.
The Constitution not a Compact between Sovereign States,—U. S. Senate - - - - - - - Feb. 16, 1833.
The Removal of the Deposits and a National Bank,—U. S. Senate - - - - - - - - - - Session 1833-34
Removal of the Deposits,—U. S. Senate - - - - " "
Report of the Removal of Deposits,—U. S. Senate - Feb. 5, 1834.
The Continuance of the Bank Charter,—U. S. Senate - March 18, 1834.
The Presidential Protest,—U. S. Senate - - - - May 7, 1834.
The Post-Office, U. S. Senate - - - - - - June 27, 1834.
French Spoliation prior to 1800,—U. S. Senate - - Jan. 12, 1835.
The Appointing and Removing Power,—U. S. Senate - Feb. 16, 1835.
The Regulation of the Deposits—U. S. Senate - - - Feb. 26, 1835.
On the Loss of the Fortification Bill in 1835 - - - Jan. 14, 1836.
Slavery and the Slave Trade in the District of Columbia—U. S. Senate - - - - - - - - - - March 16, 1836.
The Deposit Banks—U. S. Senate - - - - - - March 17, 1836.
Payments for Public Lands in Gold and Silver—U. S. Senate - - - - - - - - - - - April 23, 1836.
The Louisville Canal—U. S. Senate - - - - - - May 25, 1836.
Distribution of the Surplus Revenue—U. S. Senate - - May 31, 1836.
The Specie Circular—U. S. Senate - - - - - - Dec. 21, 1836.
Protest against the Expunging Resolution—U. S. Senate - Jan. 16, 1837.
A National Bank—U. S. Senate - - - - - - Feb. 8, 1837.
The Madison Papers—U. S. Senate - - - - - Feb. 20, 1837.
Reduction of Duty on Coal—U. S. Senate - - - Feb. 24, 1837.
Payment of the Fourth Instalment of the Surplus Revenue —U. S. Senate - - - - - - - - - - Sept. 14, 1837.
The Currency—U. S. Senate - - - - - - - Sept. 28, 1837.
Slavery in the District of Columbia—U. S. Senate - - Jan. 10, 1838.
The Commonwealth Bank, Boston—U. S. Senate - - Jan. 17, 1838.
The Right of Pre-emption to Actual Settlers on the Public Lands—U. S. Senate - - - - - - - - Jan. 28, 1838.
The Sub-Treasury—U. S. Senate - - - - - - Jan. 31, 1838.

Second Speech on the Sub-Treasury—U. S. Senate - - March 12, 1838.
Reply to Mr. Calhoun—U. S. Senate - - - - March 22, 1838.
Graduation of the Price of Public Lands—U. S. Senate - Jan. 14, 1839.
General Effects of Protection--U. S. Senate - - - March 3, 1839.
The Treasury-Note Bill—U. S. Senate - - - - March 30, 1840.
A Uniform System of Bankruptcy—U. S. Senate - - May 18, 1840.
Second Speech on System of Bankruptcy—U. S. Senate - June 5, 1840.
State of the Finances in 1840 - - - - - - Dec. 16-17, 1840.
The Admission of Texas - - - - - - - Dec. 22, 1845.
Oregon—U. S. Senate - - - - - - - Dec. 15, 1845.
Oregon—U. S. Senate - - - - - - - Feb. 26, 1846.
Oregon—U. S. Senate - - - - - - - March 30, 1846.
Defence of the Treaty of Washington—U. S. Senate - April 6-7, 1846.
Organization of the Volunteer Force—U. S. Senate - June 24, 1846.
The Tariff—U. S. Senate - - - - - - - July 25-27, 1846.
The Tariff—U. S. Senate - - - - - - - July 28, 1846.
The Sub-Treasury—U. S. Senate - - - - - August 1, 1846.
The Mexican War—U. S. Senate - - - - - March 1, 1847.
The Ten Regiment Bill—U. S. Senate - - - - March 17, 1848.
Objects of the Mexican War—U. S. Senate - - - March 23, 1848.
Exclusion of Slavery from the Territories—U. S. Senate - Aug. 12, 1848.
The Panama Railroad—U. S. Senate - - - - Jan. 31, 1849
The Constitution and the Union—U. S. Senate - - - March 7, 1850.
Tribute to Mr. Calhoun—U. S. Senate - - - - April 1, 1850.
Tribute to Mr. Elmore—U. S. Senate - - - - May 30, 1850.
Fugitive Slave Bill—U. S. Senate - - - - - June 3, 1850.
The Boundaries of Texas—U. S. Senate - - - - June 13, 1850.
The Compromise Bill—U. S. Senate - - - - June 17, 1850.
California Public Lands and Boundaries—U. S. Senate - June 27, 1850.
Last Illness and Death of President Taylor—U. S. Senate July 9-10, 1850.
The Compromise Measures—U. S. Senate - - - July 17, 1850.

LEGAL ARGUMENTS AND SPEECHES TO THE JURY.

Defence of the Kennistons—Court of Mass. - - - April, 1817.
The Dartmouth College Case—Supreme Court - - March 10, 1818.
Defence of Judge Prescott—Senate of Mass. - - - April 24, 1821.
The Case of Gibbons and Ogden—Supreme Court - - February, 1824.
The Case of Ogden and Saunders—Supreme Court - - January, 1827.
The Murder of Capt. Jos White - - - - - April, 1830.
Bank of the U. S. against Wm. Primrose - - - - Feb. 9, 1839.
The Christian Ministry and the Religious Instruction of the Young—Supreme Court - - - - - - Feb. 20, 1844.
The Providence R. R. Co. against City of Boston—Supreme Court of Mass. - - - - - - - April 3, 1844.
The Rhode Island Government—Supreme Court of U. S. Jan. 27, 1848.

DIPLOMATIC AND OFFICIAL PAPERS.

The Case of Alex. McLeod, 1841.
Treaty of Washington of 1842:
The Northeastern Boundary.
Suppression of the Slave-Trade.
Correspondence with Lord Ashburton:
Inviolability of National Territory—Case of the "Caroline."
Maritime Rights—Case of the "Creole" Impressment.
The Right of Search:
Mr. W. to the President of the U. S., Feb. 26, 1843.

Mr. W. to Mr. Everett, March 28, 1843.
Mr. W. to General Cass, April 5, 1842.
The Treaty of Washington:
Letters to General Cass on the Treaty of Washington, 1842.
Relations with Spain—Schooner "Amistad."
Sound Dues at Elsinore, and the German Zoll-Verein.
Treaty with Portugal, 1842.
Relations with Mexico:
American Citizens Captured at Santa Fé.
Independence of Texas.
Capture of Monterey.
China and the Sandwich Islands:
Intercourse with China.
Independence of the Sandwich Islands.
Correspondence with the Chevalier Hülsemann:
Excesses Committed at New Orleans, 1851.
The Lopez Expedition, 1851.
The Case of Thrasher, 1851.

MISCELLANEOUS LETTERS.

Imprisonment for Debt,—To Rev. Louis Dwight—May 2, 1830.
Slavery,—To John Bolton of Georgia—May 17, 1833.
Power of the States Contract Loans,—To Messrs. Baring Bros.—October 16, 1839.
Intercourse with England,—To the Duke of Rutland—November 16, 1839.
Laborers on the Public Works,—To Messrs. Clarke, Murphy and Garland—March 27, 1841.
To His Political Friends in New Hampshire,—January 3, 1844.
Reply to the Boston Address,—April 9, 1850.
Slavery in New Mexico,—To Hon. Hugh N. Smith—April, 1850.
To a Former Political Opponent,—Hon. Isaac Hill—April 20, 1850.
To Citizens of Newburyport, Mass.,—May 15, 1850.
To Citizens of Medford, Mass.,—June 3, 1850.
Celebration of the 17th of June,—To G. W. Warren, of Bunker Hill Com.—June 13, 1850.
To Citizens on the Kennebec River,—June 17, 1850.
To His New Hampshire Neighbors,—September 21, 1850.
Union Meeting at Castle Garden,—To Messrs. Lathrop and others, New York—October 28, 1850.
To Citizens of Staunton, Virginia—November 23, 1850.
To Citizens of Westchester, N. Y.—January 27, 1851.
The Birthday of Washington,—To New York Committee for Celebrating the Day—February 20, 1851.
Release of the Hungarian Refugees,—To George Marsh, etc., Constantinople—February 28, 1851.
Invitation to New York,—Answer to Invitation signed by more than Five Thousand Citizens of New York, "Friends of the Union, without Distinction of Party,"—May 9, 1851.
To His Cape Cod Friends,—July 14, 1851.
Invitation to Georgia,—To Mark A. Cooper, of Macon, Georgia, October 6, 1851.
Monument to Isaac Davis,—To J. T. Woodbury, Chairman of Committee of Arrangements for the Celebration at Acton, Mass.—October 15, 1851.

THE WISDOM AND ELOQUENCE

OF

DANIEL WEBSTER.

FIRST SETTLEMENT OF NEW ENGLAND.

[*A Discourse delivered at Plymouth, Dec.* 22, 1820.]

LANDING OF THE PILGRIMS, COMMEMORATION OF.—Let us rejoice that we behold this day. Let us be thankful that we have lived to see the bright and happy breaking of the auspicious morn which commences the third century of the history of New England. Auspicious, indeed—bringing a happiness beyond the common allotment of Providence to men—full of present joy, and gilding with bright beams the prospect of futurity, is the dawn that awakens us to the commemoration of the landing of the Pilgrims.

OUR ANCESTORS, ASSOCIATION WITH.—We live in the past by a knowledge of its history; and in the future by hope and anticipation. By ascending to an association with our ancestors; by contemplating their example and studying their character; by partaking their sentiments, and imbibing their spirit; by accompanying them in their toils, by sympathizing in their sufferings, and rejoicing in their successes and their triumphs, we seem to belong to their age, and to mingle our own existence with theirs. We become their contemporaries, live the lives which they lived, endure what they endured, and partake in the rewards which they enjoyed. And in like manner, by running along the line of future time, by contemplating the probable fortunes of those who are coming after us, by attempting something which may promote their happiness, and leave some not dishonorable memorial of ourselves for their regard, when we shall sleep with the fathers, we protract our own earthly being, and seem to crowd whatever is future, as well as what is past, into the narrow

compass of our earthly existence. As it is not a vain and false, but an exalted and religious imagination, which leads us to raise our thoughts from the orb, which, amidst the universe of worlds, the Creator has given us to inhabit, and to send them with something of the feeling which nature prompts, and teaches to be proper among children of the same Eternal Parent, to the contemplation of the myriads of fellow-beings, with which his goodness has peopled the infinite of space; so neither is it false or vain to consider ourselves as interested and connected with our whole race, through all time; allied to our ancestors; allied to our posterity; closely compacted on all sides with others; ourselves being but links in the great chain of being, which begins with the origin of our race, runs onward through its successive generations, binding together the past, the present, and the future, and terminating at last, with the consummation of all things earthly at the throne of God.

ANCESTRY, REGARD FOR.—There may be, and there often is, indeed, a regard for ancestry, which nourishes only a weak pride; as there is also a care for posterity, which only disguises an habitual avarice, or hides the workings of a low and grovelling vanity. But there is also a moral and philosophical respect for our ancestors, which elevates the character and improves the heart. Next to the sense of religious duty and moral feeling, I hardly know what should bear with stronger obligation on a liberal and enlightened mind, than a consciousness of alliance with excellence which is departed; and a consciousness, too, that in its acts and conduct, and even in its sentiments and thoughts, it may be actively operating on the happiness of those who come after it. Poetry is found to have few stronger conceptions, by which it would affect or overwhelm the mind, than those in which it presents the moving and speaking image of the departed dead to the senses of the living. This belongs to poetry, only because it is congenial to our nature. Poetry is, in this respect, but the hand-maid of true philosophy and morality; it deals with us as human beings, naturally reverencing those whose visible connection with this state of existence is severed, and who may yet exercise we know not what sympathy with ourselves; and when it carries us forward, also, and shows us the long continued result of all the good we do, in the prosperity of those who follow us, till it bears us from ourselves, and absorbs us in an intense interest for what shall happen to the generations after us, it speaks only in the language of our nature, and affects us with sentiments which belong to us as human beings.

PILGRIM FATHERS, HOMAGE FOR.—We have come to this Rock

to record here our homage for our Pilgrim Fathers; our sympathy in their sufferings; our gratitude for their labors; our admiration of their virtues; our veneration for their piety; and our attachment to those principles of civil and religious liberty, which they encountered the dangers of the ocean, the storms, of heaven, the violence of savages, disease, exile, and famine, to enjoy and to establish. And we would leave here, also, for the generations which are rising up rapidly to fill our places, some proof that we have endeavored to transmit the great inheritance unimpaired; that in our estimate of public principles and private virtue, in our veneration of religion and piety, in our devotion to civil and religious liberty, in our regard for whatever advances human knowledge or improves human happiness, we are not altogether unworthy of our origin.

There is a local feeling connected with this occasion, too strong to be resisted; a sort of *genius of the place*, which inspires and awes us. We feel that we are on the spot where the first scene of our history was laid; where the hearths and altars of New England were first placed; where Christianity, and civilization, and letters made their first lodgment, in a vast extent of country, covered with a wilderness, and peopled by roving barbarians. We are here, at the season of the year at which the event took place. The imagination irresistibly and rapidly draws around us the principal features and the leading characters in the original scene. We cast our eyes abroad on the ocean, and we see where the little bark, with the interesting group upon its deck, made its slow progress to the shore. We look around us, and behold the hills and promontories where the anxious eyes of our fathers first saw the places of habitation and of rest. We feel the cold which benumbed, and listen to the winds which pierced them. Beneath us is the Rock, on which New England received the feet of the Pilgrims. We seem even to behold them, as they struggle with the elements, and, with toilsome efforts, gain the shore. We listen to the chiefs in council; we see the unexampled exhibition of female fortitude and resignation; we hear the whisperings of youthful impatience, and we see, what a painter of our own has also represented by his pencil, chilled and shivering childhood, houseless, but for a mother's arms, couchless, but for a mother's breast, till our own blood almost freezes. The mild dignity of Carver and of Bradford; the decisive and soldierlike air and manner of Standish; the devout Brewster; the enterprising Allerton; the general firmness and thoughtfulness of the whole band; their conscious joy for dangers escaped; their deep solicitude about dangers to come; their trust in Heaven, their

high religious faith, full of confidence and anticipation; all of these seem to belong to this place, and to be present upon this occasion, to fill us with reverence and admiration.

ENTERPRISES, CHECKING CURRENT OF EVENTS.—There are enterprises, military as well as civil, which sometimes check the current of events, give a new turn to human affairs, and transmit their consequences through ages. We see their importance in their results, and call them great, because great things follow. There have been battles which have fixed the fate of nations. These come down to us in history with a solid and permanent interest, not created by a display of glittering armor, the rush of adverse battalions, the sinking and rising of pennons, the flight, the pursuit, and the victory; but by their effect in advancing or retarding human knowledge, in overthrowing or establishing despotism, in extending or destroying human happiness. When the traveller pauses on the plain of Marathon, what are the emotions which most strongly agitate his breast? What is that glorious recollection, which thrills through his frame, and suffuses his eyes? Not, I imagine, that Grecian skill and Grecian valor were here most signally displayed; but that Greece herself was saved. It is because to this spot, and to the event which has rendered it immortal, he refers all the succeeding glories of the republic. It is because, if that day had gone otherwise, Greece had perished. It is because he perceives that her philosophers and orators, her poets and painters, her sculptors and architects, her governments and free institutions, point backward to Marathon, and that their future existence seems to have been suspended on the contingency, whether the Persian or the Grecian banner should wave victorious in the beams of that day's setting sun. And, as his imagination kindles at the retrospect, he is transported back to the interesting moment; he counts the fearful odds of the contending hosts; his interest for the result overwhelms him; he trembles, as if it were still uncertain, and seems to doubt whether he may consider Socrates and Plato, Demosthenes, Sophocles, and Phidias, as secure, yet, to himself and to the world.

RELIGION THE MOTIVE OF THE FIRST SETTLERS.—Of the motives which influenced the first settlers to a voluntary exile, induced them to relinquish their native country, and to seek an asylum in this then unexplored wilderness, the first and principal, no doubt, were connected with religion. They sought to enjoy a higher degree of religious freedom, and what they esteemed a purer form of religious worship, than was allowed to their choice, or presented to their imitation, in the Old World. The love of *religious liberty is* a stronger sentiment, when fully excited, than

an attachment to civil or political freedom. That freedom which the conscience demands, and which men feel bound by their hope of salvation to contend for, can hardly fail to be attained. Conscience, in the cause of religion and the worship of the Deity, prepares the mind to act and to suffer beyond almost all other causes. It sometimes gives an impulse so irresistible, that no fetters of power or of opinion can withstand it. History instructs us that this love of religious liberty, a compound sentiment in the breast of man, made up of the clearest sense of right and the highest conviction of duty, is able to look the sternest despotism in the face, and, with means apparently most inadequate, to shake principalities and powers. There is a boldness, a spirit of daring, in religious reformers, not to be measured by the general rules which control men's purposes and actions. If the hand of power be laid upon it, this only seems to augment its force and its elasticity, and to cause its action to be more formidable and violent. Human invention has devised nothing, human power has compassed nothing, that can forcibly restrain it, when it breaks forth. Nothing can stop it, but to give way to it; nothing can check it, but indulgence. It loses its power only when it has gained its object. The principle of toleration, to which the world has come so slowly, is at once the most just and the most wise of all principles. Even when religious feeling takes a character of extravagance and enthusiasm, and seems to threaten the order of society and shake the columns of the social edifice, its principal danger is in its restraint. If it be allowed indulgence and expansion, like the elemental fires, it only agitates, and perhaps purifies, the atmosphere; while its efforts to throw off restraint would burst the world asunder.

POLITICAL SCIENCE AMONG THE GREEKS.—Political science among the Greeks seems never to have extended to the comprehension of a system, which should be adequate to the government of a great nation upon principles of liberty. They were accustomed only to the contemplation of small republics, and were led to consider an augmented population as incompatible with free institutions. The desire of a remedy for this supposed evil, and the wish to establish marts for trade, led the governments often to undertake the establishment of colonies as an affair of state expediency. Colonization and commerce, indeed, would naturally become objects of interest to an ingenious and enterprising people, inhabiting a territory closely circumscribed in its limits, and in no small part mountainous and sterile; while the islands of the adjacent seas, and the promontories and coasts of the neighboring continents, by their mere proximity, strongly solicited the excited spirit of emigration. Such was this proximity, in many

instances, that the new settlements appeared rather to be the mere extension of population over contiguous territory, than the establishment of distant colonies. In proportion as they were near to the parent state, they would be under its authority, and partake of its fortunes.

SETTLEMENTS OF THIS COUNTRY, COMPARED TO ROMAN COLONIZATION.—Roman colonization resembled, far less than that of the Greeks, the original settlements of this country. Power and dominion were the objects of Rome, even in her colonial establishments. Her whole exterior aspect was for centuries hostile and terrific. She grasped at dominion, from India to Britain, and her measures of colonization partook of the character of her general system. Her policy was military, because her objects were power, ascendency, and subjugation. Detachments of emigrants from Rome incorporated themselves with, and governed, the original inhabitants of conquered countries. She sent citizens where she had first sent soldiers; her law followed her sword. Her colonies were a sort of military establishment; so many advanced posts in the career of her dominion. A governor from Rome ruled the new colony with absolute sway, and often with unbounded rapacity. In Sicily, in Gaul, in Spain, and in Asia the power of Rome prevailed, not nominally only, but really and effectually. Those who immediately exercised it were Roman; the tone and tendency of its administration, Roman. Rome herself continued to be the heart and centre of the great system which she had established. Extortion and rapacity, finding a wide and often rich field of action in the provinces, looked nevertheless to the banks of the Tiber, as the scene in which their ill-gotten treasures should be displayed; or, if a spirit of more honest acquisition prevailed, the object, nevertheless, was ultimate enjoyment in Rome itself. If our own history and our own times did not sufficiently expose the inherent and incurable evils of provincial government, we might see them portrayed, to our amazement, in the desolated and ruined provinces of the Roman empire.

PILGRIMS AT HOME IN THEIR COUNTRY.—The morning that beamed on the first night of their repose saw the Pilgrims already *at home* in their country. There were political institutions, and civil liberty, and religious worship. Poetry has fancied nothing, in the wanderings of heroes, so distinct and characteristic. Here was man, indeed, unprotected, and unprovided for, on the shore of a rude and fearful wilderness; but it was politic, intelligent, and educated man. Everything was civilized but the physical world. Institutions, containing in substance all *that ages had done* for human government, were organized in a

forest. Cultivated mind was to act on uncultivated nature; and more than all, a government and a country were to commence, with the very first foundations laid under the divine light of the Christian religion. Happy auspices of a happy futurity! Who would wish that his country's existence had otherwise begun? Who would desire the power of going back to the ages of fable? Who would wish for an origin obscured in the darkness of antiquity? Who would wish for other emblazoning of his country's heraldry, or other ornaments of her genealogy, than to be able to say, that her first existence was with intelligence, her first breath the inspiration of liberty, her first principle the truth of divine religion?

PROGRESS DURING THE FIRST CENTURY.—When the first century closed, the progress of the country appeared to have been considerable; notwithstanding that, in comparison with its subsequent advancement, it now seems otherwise. A broad and lasting foundation had been laid; excellent institutions had been established; many of the prejudices of former times had been removed; a more liberal and catholic spirit on subjects of religious concern had begun to extend itself, and many things conspired to give promise of increasing future prosperity. Great men had arisen in public life, and the liberal professions. The Mathers, father and son, were then sinking low in the western horizon; Leverett, the learned, the accomplished, the excellent Leverett, was about to withdraw his brilliant and useful light. In Pemberton great hopes had been suddenly extinguished, but Prince and Colman were in our sky; and along the east had begun to flash the crepuscular light of a great luminary which was about to appear, and which was to stamp the age with his own name, as the age of Franklin.

REVOLUTIONARY STRUGGLE.—In New England the war of the Revolution commenced. I address those who remember the memorable 19th of April, 1775; who shortly after saw the burning spires of Charlestown; who beheld the deeds of Prescott, and heard the voice of Putnam amidst the storm of war, and saw the generous Warren fall, the first distinguished victim in the cause of liberty. It would be superfluous to say, that no portion of the country did more than the States of New England to bring the Revolutionary struggle to a successful issue. It is scarcely less to her credit, that she saw early the necessity of a closer union of the States, and gave an efficient and indispensable aid to the establishment and organization of the federal government.

REPUBLICAN FORM OF GOVERNMENT.—A republican form of government rests not more on political constitutions, than on those laws which regulate the descent and transmission of prop-

erty. Governments like ours could not have been maintained, where property was holden according to the principles of the feudal system; nor, on the other hand, could the feudal constitution possibly exist with us. Our New England ancestors brought hither no great capitals from Europe; and if they had, there was nothing productive in which they could have been invested. They left behind them the whole feudal policy of the other continent. They broke away at once from the system of military service established in the Dark Ages, and which continues, down even to the present time, more or less to affect the condition of property all over Europe. They came to a new country. There were, as yet, no lands yielding rent, and no tenants rendering service. The whole soil was unreclaimed from barbarism. They were themselves, either from their original condition, or from the necessity of their common interest, nearly on a general level in respect to property. Their situation demanded a parcelling out and division of the lands, and it may be fairly said, that this necessary act *fixed the future frame and form of their government.* The character of their political institutions was determined by the fundamental laws respecting property. The laws rendered estates divisible among sons and daughters. The right of primogeniture, at first limited and curtailed, was afterwards abolished. The property was all freehold. The entailment of estates, long trusts, and the other processes for fettering and tying up inheritances, were not applicable to the condition of society, and seldom made use of. On the contrary, alienation of the land was every way facilitated, even to the subjecting of it to every species of debt. The establishment of public registries, and the simplicity of our forms of conveyance, have greatly facilitated the change of real estate from one proprietor to another. The consequence of all these causes has been, a great subdivision of the soil, and a great equality of condition; the true basis, most certainly, of a popular government. "If the people," says Harrington, "hold three parts in four of the territory, it is plain there can neither be any single person nor nobility able to dispute the government with them; in this case, therefore, *except force be interposed*, they govern themselves."

ANCESTORS' GOVERNMENT, HOW ESTABLISHED.—Our ancestors established their system of government on morality and religious sentiment. Moral habits, they believed, cannot safely be trusted on any other foundation than religious principle, nor any government be secure which is not supported by moral habits. Living under the heavenly light of revelation, they hoped to find all the social dispositions, all the duties which men owe to each *other and to society,* enforced and performed. Whatever makes

men good Christians, makes them good citizens. Our fathers came here to enjoy their religion free and unmolested ; and, at the end of two centuries, there is nothing upon which we can pronounce more confidently, nothing of which we can express a more deep and earnest conviction, than of the inestimable importance of that religion to man, both in regard to this life and that which is to come.

If the blessings of our political and social condition have not been too highly estimated, we cannot well over-rate the responsibility and duty which they impose upon us. We hold these institutions of government, religion, and learning, to be transmitted, as well as enjoyed. We are in the line of conveyance, through which whatever has been obtained by the spirit and efforts of our ancestors is to be communicated to our children.

THE AFRICAN SLAVE TRADE.—"I deem it my duty on this occasion to suggest, that the land is not yet wholly free from the contamination of a traffic, at which every feeling of humanity must forever revolt,—I mean the African slave trade. Neither public sentiment, nor the law, has hitherto been able entirely to put an end to this odious and abominable trade." At the moment when God in his mercy has blessed the Christian world with a universal peace, there is reason to fear, that, to the disgrace of the Christian name and character, new efforts are making for the extension of this trade by subjects and citizens of Christian states, in whose hearts there dwell no sentiments of humanity or of justice, and over whom neither the fear of God nor the fear of man exercises a control. In the sight of our law, the African slave-trader is a pirate and a felon ; and in the sight of Heaven, an offender far beyond the ordinary depth of human guilt. There is no brighter page of our history, than that which records the measures which have been adopted by the government at an early day, and at different times since, for the suppression of this traffic ; and I would call on all the true sons of New England to coöperate with the laws of man, and the justice of Heaven. If there be, within the extent of our knowledge or influence, any participation in this traffic, let us pledge ourselves here, upon the rock of Plymouth, to extirpate and destroy it. It is not fit that the land of the Pilgrims should bear the shame longer. I hear the sound of the hammer, I see the smoke of the furnaces where manacles and fetters are still forged for human limbs. I see the visages of those who by stealth and at midnight labor in this work of hell, foul and dark, as may become the artificers of such instruments of misery and torture. Let that spot be purified, or let it cease to be of New England. Let it be purified, or let it be *set* aside from the Christian world ; let it be put

out of the circle of human sympathies and human regards, and let civilized man henceforth have no communion with it.

BLESSINGS TRANSMITTED, ESTIMATION OF.—We would leave for the consideration of those who shall occupy our places, some proof that we hold the blessings transmitted from our fathers in just estimation; some proof of our attachment to the cause of good government, and of civil and religious liberty; some proof of a sincere and ardent desire to promote everything which may enlarge the understandings and improve the hearts of men. And when, from the long distance of a hundred years, they shall look back upon us, they shall know, at least, that we possessed affections, which, running backward and warming with gratitude for what our ancestors have done for our happiness, run forward also to our posterity, and meet them with cordial salutation, ere yet they have arrived on the shore of being. Advance, then, ye future generations! We would hail you, as you rise in your long succession, to fill the places which we now fill, and to taste the blessings of existence where we are passing, and soon shall have passed, our own human duration. We bid you welcome to this pleasant land of the fathers. We bid you welcome to the healthful skies and the verdant fields of New England. We greet your accession to the great inheritance which we have enjoyed. We welcome you to the blessings of good government and religious liberty. We welcome you to the treasures of science and the delights of learning. We welcome you to the transcendent sweets of domestic life, to the happiness of kindred, and parents, and children. We welcome you to the immeasurable blessings of rational existence, the immortal hope of Christianity, and the light of everlasting truth!

THE BUNKER HILL MONUMENT.

[*Delivered at Bunker Hill, June* 17, 1825.]

THE BUNKER HILL MONUMENT.—The Society whose organ I am was formed for the purpose of rearing some honorable and durable monument to the memory of the early friends of American Independence. They have thought, that for this object no time could be more propitious than the present prosperous and peaceful period; that no place could claim preference over this memorable spot; and that no day could be more auspicious to the undertaking, than the anniversary of the battle which was here fought. The foundation of that monument we have now

laid. With solemnities suited to the occasion, with prayers to Almighty God for his blessing, and in the midst of this cloud of witnesses, we have begun the work. We trust it will be prosecuted, and that, springing from a broad foundation, rising high in massive solidity and unadorned grandeur, it may remain as long as Heaven permits the works of man to last, a fit emblem, both of the events in memory of which it is raised, and of the gratitude of those who have reared it.

PURPORT OF THE MONUMENT.—We know, indeed, that the record of illustrious actions is most safely deposited in the universal remembrance of mankind. We know, that if we could cause this structure to ascend, not only till it reached the skies, but till it pierced them, its broad surfaces could still contain but part of that which, in an age of knowledge, hath already been spread over the earth, and which history charges itself with making known to all future times. We know that no inscription on entablatures less broad than the earth itself can carry information of the events we commemorate where it has not already gone; and that no structure, which shall not outlive the duration of letters and knowledge among men, can prolong the memorial. But our object is, by this edifice, to show our own deep sense of the value and importance of the achievements of our ancestors; and, by presenting this work of gratitude to the eye, to keep alive similar sentiments, and to foster a constant regard for the principles of the Revolution. Human beings are composed, not of reason only, but of imagination also, and sentiment; and that is neither wasted nor misapplied which is appropriated to the purpose of giving right direction to sentiments, and opening proper springs of feeling in the heart. Let it not be supposed that our object is to perpetuate national hostility, or even to cherish a mere military spirit. It is higher, purer, nobler. We consecrate our work to the spirit of national independence, and we wish that the light of peace may rest upon it forever. We rear a memorial of our conviction of that unmeasured benefit which has been conferred on our own land, and of the happy influences which have been produced, by the same events, on the general interests of mankind. We come, as Americans, to mark a spot which must forever be dear to us and our posterity. We wish that whosoever, in all coming time, shall turn his eye hither, may behold that the place is not undistinguished where the first great battle of the Revolution was fought. We wish that this structure may proclaim the magnitude and importance of that event to every class and every age. We wish that infancy may learn the purpose of its erection from maternal lips, and that weary and withered age may behold it, and be solaced

by the recollections which it suggests. We wish that labor may look up here, and be proud, in the midst of its toil. We wish that, in those days of disaster, which, as they come upon all nations, must be expected to come upon us also, desponding patriotism may turn its eyes hitherward, and be assured that the foundations of our national power are still strong. We wish that this column, rising towards heaven among the pointed spires of so many temples dedicated to God, may contribute also to produce, in all minds, a pious feeling of dependence and gratitude. We wish, finally, that the last object to the sight of him who leaves his native shore, and the first to gladden his who revisits it, may be something which shall remind him of the liberty and the glory of his country. Let it rise! let it rise, till it meet the sun in his coming; let the earliest light of the morning gild it, and parting day linger and play on its summit.

VENERABLE MEN OF THE REVOLUTION.—Venerable men! you have come down to us from a former generation. Heaven has bounteously lengthened out your lives, that you might behold this joyous day. You are now where you stood fifty years ago, this very hour, with your brothers and your neighbors, shoulder to shoulder, in the strife for your country. Behold, how altered! The same heavens are indeed over your heads; the same ocean rolls at your feet; but all else how changed! You hear now no roar of hostile cannon, you see no mixed volumes of smoke and flame rising from burning Charlestown. The ground strowed with the dead and the dying; the impetuous charge; the steady and successful repulse; the loud call to repeated assault; the summoning of all that is manly to repeated resistance; a thousand bosoms freely and fearlessly bared in an instant to whatever of terror there may be in war and death;—all these you have witnessed, but you witness them no more. All is peace. The heights of yonder metropolis, its towers and roofs which you then saw filled with wives and children and countrymen in distress and terror, and looking with unutterable emotions for the issue of the combat, have presented you to-day with the sight of its whole happy population, come out to welcome and greet you with a universal jubilee. Yonder proud ships, by a felicity of position appropriately lying at the foot of this mount, and seeming fondly to cling around it, are not means of annoyance to you, but your country's own means of distinction and defence. All is peace; and God has granted you this sight of your country's happiness, ere you slumber in the grave. He has allowed you to behold and to partake the reward of your patriotic toils; and *he has allowed* us, your sons and countrymen, to meet you here,

and in the name of the present generation, in the name of your country, in the name of liberty, to thank you!

DEPARTED REVOLUTIONARY HEROES.—But, alas! you are not all here! Time and the sword have thinned your ranks. Prescott, Putnam, Stark, Brooks, Read, Pomeroy, Bridge! our eyes seek for you in vain amid this broken band. You are gathered to your fathers, and live only to your country in her grateful remembrance and your own bright example. But let us not too much grieve, that you have met the common fate of men. You lived at least long enough to know that your work had been nobly and successfully accomplished. You lived to see your country's independence established, and to sheathe your swords from war. On the light of Liberty you saw arise the light of Peace, like

> "another morn,
> Risen on mid-noon";

and the sky on which you closed your eyes was cloudless.

But ah! Him! the first great martyr in this great cause! Him! the premature victim of his own self-devoting heart! Him! the head of our civil councils, and the destined leader of our military bands, whom nothing brought hither but the unquenchable fire of his own spirit! Him! cut off by Providence in the hour of overwhelming anxiety and thick gloom; falling ere he saw the star of his country rise; pouring out his generous blood like water, before he knew whether it would fertilize a land of freedom or of bondage!—how shall I struggle with the emotions that stifle the utterance of thy name! Our poor work may perish; but thine shall endure! This monument may moulder away; the solid ground it rests upon may sink down to a level with the sea; but thy memory shall not fail! Wheresoever among men a heart shall be found that beats to the transports of patriotism and liberty, its aspirations shall be to claim kindred with thy spirit!

VETERANS, REMNANT OF WELL FOUGHT FIELDS.—Veterans! you are the remnant of many a well-fought field. You bring with you marks of honor from Trenton and Monmouth, from Yorktown, Camden, Bennington, and Saratoga. Veterans of half a century! when in your youthful days you put everything at hazard in your country's cause, good as that cause was, and sanguine as youth is, still your fondest hopes did not stretch onward to an hour like this! At a period to which you could not reasonably have expected to arrive, at a moment of national prosperity such as you could never have foreseen, you are now met here to enjoy the fellowship of old soldiers, and to receive

the overflowings of a universal gratitude. But your agitated countenances and your heaving breasts inform me that even this is not an unmixed joy. I perceive that a tumult of contending feelings rushes upon you. The images of the dead, as well as the persons of the living, present themselves before you. The scene overwhelms you, and I turn from it. May the Father of all mercies smile upon your declining years, and bless them! And when you shall here have exchanged your embraces, when you shall once more have pressed the hands which have been so often extended to give succor in adversity, or grasped in the exultation of victory, then look abroad upon this lovely land which your young valor defended, and mark the happiness with which it is filled; yea, look abroad upon the whole earth, and see what a name you have contributed to give to your country, and what a praise you have added to freedom, and then rejoice in the sympathy and gratitude which beam upon your last days from the improved condition of mankind!

ADDRESS TO LAFAYETTE.—Fortunate, fortunate man! with what measure of devotion will you not thank God for the circumstances of your extraordinary life! You are connected with both hemispheres and with two generations. Heaven saw fit to ordain, that the electric spark of liberty should be conducted, through you, from the New World to the Old; and we, who are now here to perform this duty of patriotism, have all of us long ago received it in charge from our fathers to cherish your name and your virtues. You will account it an instance of your good fortune, Sir, that you crossed the seas to visit us at a time which enables you to be present at this solemnity. You now behold the field, renown of which reached you in the heart of France, and caused a thrill in your ardent bosom. You see the lines of the little redoubt thrown up by the incredible diligence of Prescott; defended, to the last extremity, by his lion-hearted valor; and within which the corner-stone of our monument has now taken its position. You see where Warren fell, and where Parker, Gardner, McCleary, Moore and other early patriots, fell with him. Those who survived that day, and whose lives have been prolonged to the present hour, are now around you. Some of them you have known in the trying scenes of war. Behold! they now stretch forth their feeble arms to embrace you. Behold! they raise their trembling voices to invoke the blessing of God on you and yours forever. Sir, you have assisted us in laying the foundation of this structure. You have heard us rehearse, with our feeble commendation, the names of departed patriots. Monuments and eulogy belong to the dead. We give *them this day to* Warren and his associates. On other occa

sions they have been given to your more immediate companions in arms, to Washington, to Greene, to Gates, to Sullivan, and to Lincoln. We have become reluctant to grant these, our highest and last honors, further. We would gladly hold them yet back from the little remnant of that immortal band. *Serus in cælum redeas.* Illustrious as are your merits, yet far, O, very far distant be the day, when any inscription shall bear your name, or any tongue pronounce its eulogy!

KNOWLEDGE, THE GREAT SUN.—When Louis the Fourteenth said, "I am the state," he expressed the essence of the doctrine of unlimited power. By the rules of that system, the people are disconnected from the state; they are its subjects; it is their lord. These ideas, founded in the love of power, and long supported by the excess and the abuse of it, are yielding, in our age, to other opinions; and the civilized world seems at last to be proceeding to the conviction of that fundamental and manifest truth, that the powers of government are but a trust, and that they cannot be lawfully exercised but for the good of the community. As knowledge is more and more extended, this conviction becomes more and more general. Knowledge, in truth, is the great sun in the firmament. Life and power are scattered with all its beams. The prayer of the Grecian champion, when enveloped in unnatural clouds and darkness, is the appropriate political supplication for the people of every country not yet blessed with free institutions:—

> "Dispel this cloud, the light of heaven restore,
> Give me to see,—and Ajax asks no more."

THE COUNTRY IN CONTEST.—It is, indeed, a touching reflection, that, while, in the fulness of our country's happiness, we rear this monument to her honor, we look for instruction in our undertaking to a country which is now in fearful contest, not for works of art or memorials of glory, but for her own existence. Let her be assured, that she is not forgotten in the world; that her efforts are applauded, and that constant prayers ascend for her success. And let us cherish a confident hope for her final triumph. If the true spark of religious and civil liberty be kindled, it will burn. Human agency cannot extinguish it. Like the earth's central fire, it may be smothered for a time; the ocean may overwhelm it; mountains may press it down; but its inherent and unconquerable force will heave both the ocean and the land, and at some time or other, in some place or other, the volcano will break out and flame up to heaven.

THE EXAMPLE OF OUR COUNTRY.—And, now, let us indulge

an honest exultation in the conviction of the benefit which the example of our country has produced and is likely to produce, on human freedom and human happiness. Let us endeavor to comprehend in all its magnitude, and to feel in all its importance, the part assigned to us in the great drama of human affairs. We are placed at the head of the system of representative and popular governments. Thus far our example shows that such governments are compatible, not only with respectability and power, but with repose, with peace, with security of personal rights, with good laws, and a just administration.

We are not propagandists. Wherever other systems are preferred, either as being thought better in themselves, or as better suited to existing condition, we leave the preference to be enjoyed. Our history hitherto proves, however, that the popular form is practicable, and that with wisdom and knowledge men may govern themselves; and the duty incumbent on us is, to preserve the consistency of this cheering example, and take care that nothing may weaken its authority with the world. If, in our case, the representative system ultimately fail, popular governments must be pronounced impossible. No combination of circumstances more favorable to the experiment can ever be expected to occur. The last hopes of mankind, therefore, rest with us; and if it should be proclaimed, that our example had become an argument against the experiment, the knell of popular liberty would be sounded throughout the earth.

These are excitements to duty; but they are not suggestions of doubt. Our history and our condition, all that is gone before us, and all that surrounds us, authorize the belief, that popular governments, though subject to occasional variations, in form perhaps not always for the better, may yet, in their general character, be as durable and permanent as other systems. We know, indeed, that in our country any other is impossible. The *principle* of free governments adheres to the American soil. It is bedded in it, immovable as its mountains.

And let the sacred obligations which have devolved on this generation, and on us, sink deep into our hearts. Those who established our liberty and our government are daily dropping from among us. The great trust now descends to new hands. Let us apply ourselves to that which is presented to us, as our appropriate object. We can win no laurels in a war for independence. Earlier and worthier hands have gathered them all. Nor are there places for us by the side of Solon, and Alfred, and other founders of states. Our fathers have filled them. But there remains to us a great duty of defence and preservation; *and there is* opened to us, also, a noble pursuit, to which the

spirit of the times strongly invites us. Our proper business is improvement. Let our age be the age of improvement. In a day of peace, let us advance the arts of peace and the works of peace. Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered. Let us cultivate a true spirit of union and harmony. In pursuing the great objects which our condition points out to us, let us act under a settled conviction, and an habitual feeling, that these twenty-four States are one country. Let our conceptions be enlarged to the circle of our duties. Let us extend our ideas over the whole of the vast field in which we are called to act. Let our object be, OUR COUNTRY, OUR WHOLE COUNTRY, AND NOTHING BUT OUR COUNTRY. And, by the blessing of God, may that country itself become a vast and splendid monument, not of oppression and terror, but of Wisdom, of Peace, and of Liberty, upon which the world may gaze with admiration forever!

COMPLETION OF THE BUNKER HILL MONUMENT.

[*At Bunker Hill, June* 17, 1843.]

THE COMPLETED MONUMENT.—The Bunker Hill Monument is finished. Here it stands. Fortunate in the high natural eminence on which it is placed, higher, infinitely higher in its objects and purpose, it rises over the land and over the sea; and, visible, at their homes, to three hundred thousand of the people of Massachusetts, it stands a memorial of the last, and a monitor to the present and to all succeeding generations. I have spoken of the loftiness of its purpose. If it had been without any other design than the creation of a work of art, the granite of which it is composed would have slept in its native bed. It has a purpose, and that purpose gives it its character. That purpose enrobes it with dignity and moral grandeur. That well-known purpose it is which causes us to look up to it with a feeling of awe. It is itself the orator of this occasion. It is not from my lips, it could not be from any human lips, that that strain of eloquence is this day to flow most competent to move and excite the vast multitudes around me. The powerful speaker stands motionless before us. It is a plain shaft. It bears no

inscriptions, fronting to the rising sun, from which the future antiquary shall wipe the dust. Nor does the rising sun cause tones of music to issue from its summit. But at the rising of the sun, and at the setting of the sun ; in the blaze of noonday, and beneath the milder effulgence of lunar light ; it looks, it speaks, it acts, to the full comprehension of every American mind, and the awakening of glowing enthusiasm in ever American heart. Its silent, but awful utterance ; its deep pathos, as it brings to our contemplation the 17th of June, 1775, and the consequences which have resulted to us, to our country, and to the world, from the events of that day, and which we know must continue to rain influence on the destinies of mankind to the end of time ; the elevation with which it raises us high above the ordinary feelings of life, surpass all that the study of the closet, or even the inspiration of genius, can produce. To-day it speaks to us. Its future auditories will be the successive generations of men, as they rise up before it and gather around it. Its speech will be of patriotism and courage ; of civil and religious liberty ; of free government; of the moral improvement and elevation of mankind; and of the immortal memory of those who, with heroic devotion, have sacrificed their lives for their country.

THE MAYFLOWER.—The Mayflower sought our shores under no high-wrought spirit of commercial adventure, no love of gold, no mixture of purpose warlike or hostile to any human being. Like the dove from the ark, she had put forth only to find rest. Solemn supplications on the shore of the sea, in Holland, had invoked for her, at her departure, the blessings of Providence. The stars which guided her were the unobscured constellations of civil and religious liberty. Her deck was the altar of the living God. Fervent prayers on bended knees, mingled, morning and evening, with the voices of ocean, and the sighing of the wind in her shrouds. Every prosperous breeze, which, gently swelling her sails, helped the Pilgrims onward in their course, awoke new anthems of praise; and when the elements were wrought into fury, neither the tempest, tossing their fragile bark like a feather, nor the darkness and howling of the midnight storm, ever disturbed, in man or woman, the firm and settled purpose of their souls, to undergo all, and to do all, that the meekest patience, the boldest resolution, and the highest trust in God could enable human beings to suffer or to perform.

FELICITY OF THE AMERICAN COLONIST.—It has been said with much vivacity that the felicity of the American colonists consisted in their escape from the past. This is true so far as respects political establishments, but no further. They brought with them a full *portion of all* the riches of the past, in science, in art, in morals,

religion, and literature. The Bible came with them. And it is not to be doubted, that to the free and universal reading of the Bible, in that age, men were much indebted for right views of civil liberty. The Bible is a book of faith, and a book of doctrine, and a book of morals, and a book of religion, of especial revelation from God; but it is also a book which teaches man his own individual responsibility, his own dignity, and his equality with his fellow-man.

ELEMENTS OF THE AMERICAN SYSTEM OF GOVERNMENT.—The great elements of the American system of government, originally introduced by the colonists, and which were early in operation, and ready to be developed, more and more as the progress of events should justify or demand, were:

Escape from the existing political systems of Europe, including its religious hierarchies, but the continued possession and enjoyment of its science and arts, its literature, and its manners; Home government, or the power of making in the colony the municipal laws which were to govern it; Equality of rights; Representative assemblies, or forms of government founded on popular elections.

OBLIGATION OF THE NEW WORLD TO THE OLD.—Few topics are more inviting, or more fit for philosophical discussion, than the effect on the happiness of mankind of institutions founded upon these principles; or, in other words, the influence of the New World upon the Old.

Her obligations to Europe for science and art, laws, literature, and manners, America acknowledges as she ought, with respect and gratitude. The people of the United States, descendants of the English stock, grateful for the treasures of knowledge derived from their English ancestors, admit also, with thanks and filial regard, that among those ancestors, under the culture of Hampden and Sydney and other assiduous friends, that seed of popular liberty first germinated, which on our soil has shot up its full height, until its branches overshadow all the land.

But America has not failed to make returns. If she has not wholly cancelled the obligation, or equalled it by others of like weight, she has, at least, made respectable advances towards repaying the debt. And she admits, that, standing in the midst of civilized nations, and in a civilized age, a nation among nations, there is a high part which she is expected to act, for the general advancement of human interests and human welfare.

OBLIGATION OF THE OLD WORLD TO THE NEW.—American mines have filled the mints of Europe with the precious metals. The productions of the American soil and climate have poured

out their abundance of luxuries for the tables of the rich, and of necessaries for the sustenance of the poor. Birds and animals of beauty and value have been added to the European stocks; and transplantations from the unequalled riches of our forests have mingled themselves profusely with the elms, and ashes and Druidical oaks of England. America has made contributions to Europe far more important. Who can estimate the amount, or the value, of the augmentation of the commerce of the world that has resulted from America? Who can imagine to himself what would now be the shock to the Eastern Continent, if the Atlantic were no longer traversable, or if there were no longer American productions, or American markets?

But America exercises influences, or holds out examples, for the consideration of the Old World, of a much higher, because they are of a moral and political character. America has furnished to Europe proof of the fact, that popular institutions, founded on equality and the principle of representation, are capable of maintaining governments, able to secure the rights of person, property, and reputation. America has proved that it is practicable to elevate the mass of mankind—that portion which in Europe is called the laboring, or lower class—to raise them to self-respect, to make them competent to act a part in the great right and great duty of self-government; and she has proved that this may be done by education and the diffusion of knowledge. She holds out an example a thousand times more encouraging than ever was presented before, to those nine-tenths of the human race who are born without hereditary fortune or hereditary rank.

CHARACTER OF WASHINGTON.—America has furnished to the world the character of Washington! And if our American institutions had done nothing else, that alone would have entitled them to the respect of mankind. Washington! "First in war, first in peace, and first in the hearts of his countrymen!" Washington is all our own! The enthusiastic veneration and regard in which the people of the United States hold him prove them to be worthy of such a countryman; while his reputation abroad reflects the highest honor on his country. I would cheerfully put the question to-day to the intelligence of Europe and the world, what character of the century, upon the whole, stands out in the relief of history, most pure, most respectable, most sublime; and I doubt not, that, by a suffrage approaching to unanimity, the answer would be Washington!

The structure now standing before us, by its uprightness, its solidity, its durability, is no unfit emblem of his character. His public virtues and public principles were as firm as the earth on

which it stands; his personal motives, as pure as the serene heaven in which its summit is lost. But, indeed, though a fit, it is an inadequate emblem. Towering high above the column which our hands have builded, beheld, not by the inhabitants of a single city or a single State, but by all the families of man, ascends the colossal grandeur of the character and life of Washington. In all the constituents of the one, in all the acts of the other, in all its titles to immortal love, admiration and renown, it is an American production. It is the embodiment and vindication of our Transatlantic liberty. Born upon our soil, of parents also born upon it; never for a moment having had sight of the Old World; instructed, according to the modes of his time, only in the spare, plain, but wholesome elementary knowledge which our institutions provide for the children of the people; growing up beneath and penetrated by the genuine influence of American society; living from infancy to manhood and age amidst our expanding, but not luxurious civilization; partaking in our great destiny of labor, our long contest with unreclaimed nature and uncivilized man, our agony of glory, the war of Independence, our great victory of peace, the formation of the Union, and the establishment of the Constitution; he is all, all our own! Washington is ours. That crowded and glorious life

> "Where multitudes of virtues passed along,
> Each pressing foremost, in the mighty throng
> Ambitious to be seen, then making room
> For greater multitudes that were to come,"—

that life was the life of an American citizen.

I claim him for America. In all the perils, in every darkened moment of the state, in the midst of the reproaches of enemies and the misgiving of friends, I turn to that transcendent name for courage and for consolation. To him who denies or doubts whether our fervid liberty can be combined with law, with order, with the security of property, with the pursuits and advancement of happiness; to him who denies that our forms of government are capable of producing exaltation of soul, and the passion of true glory; to him who denies that we have contributed anything to the stock of great lessons and great examples;—to all these I reply by pointing to Washington!

RECOLLECTIONS, HOPES, AND DUTIES.—And now, friends and fellow-citizens, it is time to bring this discourse to a close. We have indulged in gratifying recollections of the past, in the prosperity and pleasures of the present, and in high hopes for the future. But let us remember that we have duties and obligations to perform, corresponding to the blessings which we enjoy. Let

us remember the trust, the sacred trust, attaching to the rich inheritance which we have received from our fathers. Let us feel our personal responsibility, to the full extent of our power and influence, for the preservation of the principles of civil and religious liberty. And let us remember that it is only religion, and morals, and knowledge, that can make men respectable and happy, under any form of government. Let us hold fast the great truth, that communities are responsible, as well as individuals; that no government is respectable, which is not just; that without unspotted purity of public faith, without sacred public principle, fidelity, and honor, no mere forms of government, no machinery of laws, can give dignity to political society. In our day and generation let us seek to raise and improve the moral sentiment, so that we may look, not for a degraded, but for an elevated and improved future. And when both we and our children shall have been consigned to the house appointed for all living, may love of country and pride of country glow with equal fervor among those to whom our names and our blood shall have descended! And then, when honored and decrepit age shall lean against the base of this monument, and troops of ingenuous youth shall be gathered around it, and when the one shall speak to the other of its objects, the purposes of its construction, and the great and glorious events with which it is connected, there shall rise from every youthful breast the ejaculation, "Thank God, I—I also—AM AN AMERICAN!"

ADAMS AND JEFFERSON.

[*A Discourse delivered at Faneuil Hall, Boston, Aug.* 2, 1826.]

THE DEATHS OF ADAMS AND JEFFERSON.—This is an unaccustomed spectacle. For the first time, fellow-citizens, badges of mourning shroud the columns and overhang the arches of this hall. These walls, which were consecrated, so long ago, to the cause of American liberty, which witnessed her infant struggles, and rang with the shouts of her earliest victories, proclaim, now, that distinguished friends and champions of that great cause have fallen. It is right that it should be thus. The tears which flow, and the honors that are paid, when the founders of the republic die, give hope that the republic itself may be immortal. It *is fit that, by* public assembly and solemn observance, by anthem

and by eulogy, we commemorate the service of national benefactors, extol their virtues, and render thanks to God for eminent blessings, early given and long continued, through their agency, to our favored country. Adams and Jefferson are no more; and we are assembled, fellow-citizens, the aged, the middle-aged, and the young, by the spontaneous impulse of all, under the authority of the municipal government, with the presence of the chief magistrate of the Commonwealth, and others its official representatives, the University, and the learned societies, to bear our part in those manifestations of respect and gratitude which pervade the whole land. Adams and Jefferson are no more. On our fiftieth anniversary, the great day of national jubilee, in the very hour of public rejoicing, in the midst of echoing and re-echoing voices of thanksgiving, while their own names were on all tongues, they took their flight together to the world of spirits.

If it be true that no one can safely be pronounced happy while he lives, if that event which terminates life can alone crown its honors and its glory, what felicity is here! The great epic of their lives, how happily concluded! Poetry itself has hardly terminated illustrious lives, and finished the career of earthly renown, by such a consummation. If we had the power, we could not wish to reverse this dispensation of the Divine Providence. The great objects of life were accomplished, the drama was ready to be closed. It has closed; our patriots have fallen; but so fallen, at such age, with such coincidence, on such a day, that we cannot rationally lament that that end has come, which we knew could not be long deferred.

Neither of these great men, fellow-citizens, could have died, at any time, without leaving an immense void in our American society. They have been so intimately, and for so long a time, blended with the history of the country, and especially so united, in our thoughts and recollections, with the events of the Revolution, that the death of either would have touched the chords of public sympathy. We should have felt that one great link, connecting us with former times, was broken; that we had lost something more, as it were, of the presence of the Revolution itself, and of the act of independence, and were driven on, by another great remove from the days of our country's early distinction, to meet posterity, and to mix with the future. Like the mariner, whom the currents of the ocean and the winds carry along, till he sees the stars which have directed his course and lighted his pathless way descend, one by one, beneath the rising horizon, we should have felt that the stream of time had borne us onward till another great luminary, whose light had cheered us and whose guidance we had followed, had sunk away from *our sight.*

But the concurrence of their death on the anniversary of Independence has naturally awakened stronger emotions. Both had been presidents, both had lived to great age, both were early patriots, and both were distinguished and ever honored by their immediate agency in the act of independence. It cannot but seem striking and extraordinary, that these two should live to see the fiftieth year from the date of that act; that they should complete that year; and that then, on the day which had fast linked forever their own fame with their country's glory, the heavens should open to receive them both at once. As their lives themselves were the gifts of Providence, who is not willing to recognize in their happy termination, as well as in their long continuance, proofs that our country and its benefactors are objects of His care? Adams and Jefferson, I have said, are no more. As human beings, indeed, they are no more. They are no more, as in 1776, bold and fearless advocates of independence; no more, as at subsequent periods, the head of the government; no more, as we have recently seen them, aged and venerable objects of admiration and regard. They are no more. They are dead. But how little is there of the great and good which can die! To their country they yet live, and live forever. They live in all that perpetuates the remembrance of men on earth; in the recorded proofs of their own great actions, in the offspring of their intellect, in the deep-engraved lines of public gratitude, and in the respect and homage of mankind. They live in their example; and they live, emphatically, and will live, in the influence which their lives and efforts, their principles and opinions, now exercise, and will continue to exercise, on the affairs of men, not only in their own country, but throughout the civilized world. A superior and commanding human intellect, a truly great man, when Heaven vouchsafes so rare a gift, is not a temporary flame, burning brightly for a while, and then giving place to returning darkness. It is rather a spark of fervent heat, as well as radiant light, with power to enkindle the common mass of human mind; so that when it glimmers in its own decay, and finally goes out in death, no night follows, but it leaves the world all light, all on fire, from the potent contact of its own spirit. Bacon died; but the human understanding, roused by the touch of his miraculous wand to a perception of the true philosophy and the just mode of inquiring after truth, has kept on its course successfully and gloriously. Newton died; yet the courses of the spheres are still known, and they yet move on by the laws which he discovered, and in the orbits which he saw, and described for them, in the infinity of space.

Josiah Quincy.—When many of us were last in this place,

it was on the day of the anniversary of our liberty. We were met to enjoy the festivities belonging to the occasion, and to manifest our grateful homage to our political fathers. We did not, we could not here, forget our venerable neighbor of Quincy. We knew that we were standing, at a time of high and palmy prosperity, where he had stood in the hour of utmost peril; that we saw nothing but liberty and security, where he had met the frown of power; that we were enjoying everything, where he had hazarded everything; and just and sincere plaudits rose to his name, from the crowds which filled this area, and hung over these galleries. He whose grateful duty it was to speak to us, on that day, of the virtues of our fathers, had, indeed, admonished us that time and years were about to level his venerable frame with the dust. But he bade us hope that "the sound of a nation's joy, rushing from our cities, ringing from our valleys, echoing from our hills, might yet break the silence of his aged ear; that the rising blessings of grateful millions might yet visit with glad light his decaying vision." Alas! that vision was then closing forever. Alas! the silence which was then settling on that aged ear was an everlasting silence! For, lo! in the very moment of our festivities, his freed spirit ascended to God who gave it! Human aid and human solace terminate at the grave; or we would gladly have borne him upward, on a nation's outspread hands; we would have accompanied him, and with the blessings of millions and the prayers of millions, commended him to the Divine favor.

THE VALUE OF SPEECH.—When public bodies are to be addressed on momentous occasions, when great interests are at stake, and strong passions excited, nothing is valuable in speech farther than as it is connected with high intellectual and moral endowments. Clearness, force, and earnestness are the qualities which produce conviction. True eloquence, indeed, does not consist in speech. It cannot be brought from far. Labor and learning may toil for it, but they will toil in vain. Words and phrases may be marshalled in every way, but they cannot compass it. It must exist in the man, in the subject, and in the occasion. Affected passion, intense expression, the pomp of declamation, all may aspire to it; they cannot reach it. It comes, if it come at all, like the outbreaking of a fountain from the earth, or the bursting forth of volcanic fires, with spontaneous, original, native force. The graces taught in the schools, the costly ornaments and studied contrivances of speech, shock and disgust men, when their own lives, and the fate of their wives, their children, and their country, hang on the decision of the hour. Then words have lost their power, rhetoric is vain, and all elaborate oratory contemptible. Even genius itself then feels re-

buked and subdued, as in the presence of higher qualities. Then patriotism is eloquent; then self-devotion is eloquent. The clear conception, outrunning the deductions of logic, the high purpose, the firm resolve, the dauntless spirit, speaking on the tongue, beaming from the eye, informing every feature, and urging the whole man onward, right onward to his object,—this, this is eloquence; or rather it is something greater and higher than all eloquence, it is action, noble, sublime, god-like action.

Let us, then, bring before us the assembly, which was about to decide a question thus big with the fate of empire. Let us open their doors and look in upon their deliberations. Let us survey the anxious and care-worn countenances, let us hear the firm-toned voices, of this band of patriots.

A SPEECH AGAINST THE DECLARATION OF INDEPENDENCE.—Hancock presides over the solemn sitting; and one of those not yet prepared to pronounce for absolute independence is on the floor, and is urging his reasons for dissenting from the declaration.

"Let us pause! This step, once taken, cannot be retraced. This resolution, once passed, will cut off all hope of reconciliation. If success attend the arms of England, we shall then be no longer Colonies, with charters and with privileges; these will all be forfeited by this act; and we shall be in the condition of other conquered people, at the mercy of the conquerors. For ourselves, we may be ready to run the hazard; but are we ready to carry the country to that length? Is success so probable as to justify it? Where is the military, where the naval power, by which we are to resist the whole strength of the arm of England, for she will exert that strength to the utmost? Can we rely on the constancy and perseverance of the people? or will they not act as the people of other countries have acted, and, wearied with a long war, submit, in the end, to a worse oppression? While we stand on our old ground, and insist on redress of grievances, we know we are right, and are not answerable for consequences. Nothing, then, can be imputed to us. But if we now change our object, carry our pretensions farther, and set up for absolute independence, we shall lose the sympathy of mankind. We shall no longer be defending what we possess, but struggling for something which we never did possess, and which we have solemnly and uniformly disclaimed all intention of pursuing, from the very outset of the troubles. Abandoning thus our old ground, of resistance only to arbitrary acts of oppression, the nations will believe the whole to have been *mere pretence, and* they will look on us, not as injured, but as

ambitious subjects. I shudder before this responsibility. It will be on us, if, relinquishing the ground on which we have stood so long, and stood so safely, we now proclaim independence, and carry on the war for that object, while these cities burn, these pleasant fields whiten and bleach with the bones of their owners, and these streams run blood. It will be upon us, it will be upon us, if, failing to maintain this unseasonable and ill-judged declaration, a sterner despotism, maintained by military power, shall be established over our posterity, when we ourselves, given up by an exhausted, a harassed, a misled people, shall have expiated our rashness and atoned for our presumption on the scaffold."

SPEECH IN FAVOR OF THE DECLARATION.—It was for Mr. Adams to reply to arguments like these. We know his opinions, and we know his character. He would commence with his accustomed directness and earnestness.

"Sink or swim, live or die, survive or perish, I give my hand and my heart to this vote. It is true, indeed, that in the beginning we aimed not at independence. But there's a Divinity which shapes our ends. The injustice of England has driven us to arms; and, blinded to her own interest for our good, she has obstinately persisted, till independence is now within our grasp. We have but to reach forth to it, and it is ours. Why, then, should we defer the Declaration? Is any man so weak as now to hope for a reconciliation with England, which shall leave either safety to the country and its liberties, or safety to his own life and his own honor? Are not you, Sir, who sit in that chair, is not he, our venerable colleague near you, are you not both already the proscribed and predestined objects of punishment and of vengeance? Cut off from all hope of royal clemency, what are you, what can you be, while the power of England remains, but outlaws? If we postpone independence, do we mean to carry on, or to give up, the war? Do we mean to submit to the measures of Parliament, Boston Port Bill and all? Do we mean to submit, and consent that we ourselves shall be ground to powder, and our country and its rights trodden down in the dust? I know we do not mean to submit. We never shall submit. Do we intend to violate that most solemn obligation ever entered into by men, that plighting, before God, of our sacred honor to Washington, when, putting him forth to incur the dangers of war, as well as the political hazards of the times, we promised to adhere to him, in every extremity, with our fortunes and our lives? I know there is not a man here, who would not rather see a general conflagration sweep over the land, or an earthquake sink it, than one jot or tittle of that

plighted faith fall to the ground. For myself, having, twelve months ago, in this place, moved you, that George Washington be appointed commander of the forces raised, or to be raised, for defence of American liberty, may my right hand forget her cunning, and my tongue cleave to the roof of my mouth, if I hesitate or waver in the support I give him.

"The war, then, must go on. We must fight it through. And if the war must go on, why put off longer the Declaration of Independence? That measure will strengthen us. It will give us character abroad. The nations will then treat with us, which they never can do while we acknowledge ourselves subjects, in arms against our sovereign. Nay, I maintain that England herself will sooner treat for peace with us on the footing of independence, than consent, by repealing her acts, to acknowledge that her whole conduct towards us has been a course of injustice and oppression. Her pride will be less wounded by submitting to that course of things which now predestinates our independence, than by yielding the points in controversy to her rebellious subjects. The former she would regard as the result of fortune; the latter she would feel as her own deep disgrace. Why, then, why then, Sir, do we not as soon as possible change this from a civil to a national war? And since we must fight it through, why not put ourselves in a state to enjoy all the benefits of victory, if we gain the victory?

"If we fail, it can be no worse for us. But we shall not fail. The cause will raise up armies; the cause will create navies. The people, the people, if we are true to them, will carry us, and will carry themselves, gloriously, through this struggle. I care not how fickle other people have been found. I know the people of these Colonies, and I know that resistance to British aggression is deep and settled in their hearts and cannot be eradicated. Every Colony, indeed, has expressed its willingness to follow, if we but take the lead. Sir, the Declaration will inspire the people with increased courage. Instead of a long and bloody war for the restoration of privileges, for redress of grievances, for chartered immunities, held under a British king, set before them the glorious object of entire independence, and it will breathe into them anew the breath of life. Read this Declaration at the head of the army; every sword will be drawn from its scabbard, and the solemn vow uttered, to maintain it, or to perish on the bed of honor. Publish it from the pulpit; religion will approve it, and the love of religious liberty will cling round it, resolved to stand with it, or fall with it. Send it to the *public* halls; proclaim it there; let them hear it who heard the *first roar of the* enemy's cannon; let them see it who saw their

brothers and their sons fall on the field of Bunker Hill, and in the streets of Lexington and Concord, and the very walls will cry out in its support.

"Sir, I know the uncertainty of human affairs, but I see, I see clearly, through this day's business. You and I, indeed, may rue it. We may not live to the time when this Declaration shall be made good. We may die; die colonists; die slaves; die, it may be, ignominiously and on the scaffold. Be it so. Be it so. If it be the pleasure of Heaven that my country shall require the poor offering of my life, the victim shall be ready at the appointed hour of sacrifice, come when that hour may. But while I do live, let me have a country, or at least the hope of a country, and that a free country.

"But whatever may be our fate, be assured, be assured that this Declaration will stand. It may cost treasure, and it may cost blood; but it will stand, and it will richly compensate for both. Through the thick gloom of the present, I see the brightness of the future, as the sun in heaven. We shall make this a glorious, an immortal day. When we are in our graves, our children will honor it. They will celebrate it with thanksgiving, with festivity, with bonfires, and illuminations. On its annual return they will shed tears, copious, gushing tears, not of subjection and slavery, not of agony and distress, but of exultation, of gratitude, and of joy. Sir, before God, I believe the hour is come. My judgment approves this measure, and my whole heart is in it. All that I have, and all that I am, and all that I hope, in this life, I am now ready here to stake upon it; and I leave off as I began, that, live or die, survive or perish, I am for the Declaration. It is my living sentiment, and by the blessing of God it shall be my dying sentiment, Independence, *now*, and INDEPENDENCE FOREVER." *

TRIBUTE TO MEMORY OF ILLUSTRIOUS DEAD.—I will detain you no longer by this faint and feeble tribute to the memory of the illustrious dead. Even in other hands, adequate justice could not be done to them, within the limits of this occasion. Their highest, their best praise, is your deep conviction of their

* It has often been asked, whether the anonymous speech against the Declaration of Independence, and the speech in support of it ascribed to John Adams in the preceding Discourse, are a portion of the debates which actually took place in 1776 in the Continental Congress. Those speeches were composed by Mr. Webster, after the manner of the ancient historians. They represent the speeches that were actually made on both sides, but no report of the debates of this period has been preserved, and the orator on the present occasion had no aid in framing these addresses, but what was furnished by general tradition and the known line of argument pursued by the *speakers and writers of that* day for and against the measure of Independence.

merits, your affectionate gratitude for their labors and their services. It is not my voice, it is this cessation of ordinary pursuits, this arresting of all attention, these solemn ceremonies, and this crowded house, which speak their eulogy. Their fame, indeed, is safe. That is now treasured up beyond the reach of accident. Although no sculptured marble should rise to their memory, nor engraved stone bear record of their deeds, yet will their remembrance be as lasting as the land they honored. Marble columns may, indeed, moulder into dust, time may erase all impress from the crumbling stone, but their fame remains; for with American Liberty it rose, and with American Liberty only can it perish. It was the last swelling pearl of yonder choir, "Their bodies are buried in peace, but their name liveth evermore." I catch that solemn song, I echo that lofty strain of funeral triumph, "Their name liveth evermore."

DUTIES, WHICH HAVE DEVOLVED UPON US.—And now, let us not retire from this occasion without a deep and solemn conviction of the duties which have devolved upon us. This lovely land, this glorious liberty, these benign institutions, the dear purchase of our fathers, are ours; ours to enjoy, ours to preserve, ours to transmit. Generations past and generations to come hold us responsible for this sacred trust. Our fathers, from behind, admonish us, with their anxious paternal voices; posterity calls out to us, from the bosom of the future; the world turns hither its solicitous eyes; all, all conjure us to act wisely, and faithfully, in the relation which we sustain. We can never, indeed, pay the debt which is upon us; but by virtue, by morality, by religion, by the cultivation of every good principle and every good habit, we may hope to enjoy the blessing, through our day, and to leave it unimpaired to our children. Let us feel deeply how much of what we are and of what we possess we owe to this liberty, and to these institutions of government. Nature has, indeed, given us a soil which yields bounteously to the hand of industry, the mighty and fruitful ocean is before us, and the skies over our heads shed health and vigor. But what are lands and seas, and skies, to civilization, without society, without knowledge, without morals, without religious culture; and how can these be enjoyed, in all their extent and all their excellence, but under the protection of wise institutions and a free government? Fellow-citizens, there is not one of us, there is not one of us here present who does not, at this moment, and at every moment, experience, in his own condition, and in the condition *of those most* near and dear to him, the influence and the *benefits of this* liberty and these institutions. Let us then

acknowledge the blessing, let us feel it deeply and powerfully, let us cherish a strong affection for it, and resolve to maintain and perpetuate it. The blood of our fathers, let it not have been shed in vain ; the great hope of posterity, let it not be blasted.

The striking attitude, too, in which we stand to the world around us, a topic to which, I fear, I advert too often, and dwell on too long, cannot be altogether omitted here. Neither individuals nor nations can perform their part well, until they understand and feel its importance, and comprehend and justly appreciate all the duties belonging to it. It is not to inflate national vanity, nor to swell a light and empty feeling of self-importance, but it is that we may judge justly of our situation, and of our own duties, that I earnestly urge upon you this consideration of our position and our character among the nations of the earth. It cannot be denied, but by those who would dispute against the sun, that with America, and in America, a new era commences in human affairs. This era is distinguished by free representative governments, by entire religious liberty, by improved systems of national intercourse, by a newly awakened and an unconquerable spirit of free inquiry, and by a diffusion of knowledge through the community, such as has been before altogether unknown and unheard of. America, America, our country, fellow-citizens, our own dear and native land, is inseparably connected, fast bound up, in fortune and by fate, with these great interests. If they fall, we fall with them ; if they stand, it will be because we have maintained them. Let us contemplate, then, this connection, which binds the prosperity of others to our own ; and let us manfully discharge all the duties which it imposes. If we cherish the virtues and the principles of our fathers, Heaven will assist us to carry on the work of human liberty and human happiness. Auspicious omens cheer us. Great examples are before us. Our own firmament now shines brightly upon our path. Washington is in the clear, upper sky. These other stars have now joined the American constellation ; they circle round their centre, and the heavens beam with new light. Beneath this illumination let us walk the course of life, and at its close devoutly commend our beloved country, the common parent of us all, to the Divine Benignity.

DINNER AT FANEUIL HALL.

[*June* 5, 1828.]

GOVERNMENT TO BE ADMINISTERED ON WIDE PRINCIPLES.—The present government of the United States cannot be maintained but by administering it on principles as wide and broad as the country over which it extends. I mean, of course, no extension of the powers which it confers; but I speak of the spirit with which those powers should be exercised. If there be any doubts, whether so many republics, covering so vast a territory, can be long held together under this Constitution, there is no doubt in my judgment of the impossibility of so holding them together by any narrow, local, or selfish system of legislation. To render the Constitution perpetual (which God grant it may be), it is necessary that its benefits should be practically felt by all parts of the country, and all interests in the country. The East and the West, the North and the South, must all see their own welfare protected and advanced by it. While the eastern frontier is defended by fortifications, its harbors improved, and commerce protected by a naval force, it is right and just that the region beyond the Alleghanies should receive fair consideration and equal attention, in any object of public improvement, interesting to itself, and within the proper power of the government. These are in brief the general views by which I have been governed on questions of this kind; and I trust they are such as this meeting does not disapprove.

If I could collect around me the whole population of New England, or if I could cause my voice to be heard over all her green hills, or along every one of her pleasant streams, in the exercise of true filial affection, I would say to her, in the language of the great master of the maxims of life and conduct,

> "This above all,—to thine own self be true,
> And it must follow, as the night the day,
> Thou canst not then be false to any man."

SPEECH BEFORE THE BOSTON MECHANICS' INSTITUTION.

[*Nov.* 12, 1828.]

MAN'S DISTINCTION, HIS INTELLECT.—Man's grand distinction is his intellect, his mental capacity. It is this which renders him highly and peculiarly responsible to his Creator. It is on account of this, that the rule over other animals is established in his hands; and it is this, mainly, which enables him to exercise dominion over the powers of nature, and to subdue them to himself. . . . Every want, not of a low kind, physical as well as moral, which the human breast feels, and which brutes do not feel and cannot feel, raises man by so much in the scale of existence, and is a clear proof and a direct instance of the favor of God towards his so much favored human offspring. If man had been so made as to desire nothing, he would have wanted almost everything worth possessing.

THE MATERIAL UNIVERSE A PERPETUAL STUDY.—The ancients discovered many things, but they left many things also to be discovered; and this, as a general truth, is what our posterity a thousand years hence will be able to say, doubtless, when we and our generation shall be recorded also among the ancients. For, indeed, God seems to have proposed his material universe as a standing, perpetual study to his intelligent creatures; where, ever learning, they can yet never learn all; and if that material universe shall last till man shall have discovered all that is now unknown, but which by the progressive improvement of his faculties he is capable of knowing, it will remain through a duration beyond human measurement, and beyond human comprehension.

ARCHITECTURE.—Architecture is an art that unites in a singular manner the useful and the beautiful. It is not to be inferred from this that everything in architecture is beautiful, or is to be so esteemed, in exact proportion to its apparent utility. No more is meant, than that nothing which evidently thwarts utility can or ought to be accounted beautiful; because, in every work of art, the design is to be regarded, and what defeats that design cannot be considered as well done. The French rhetoricians have a maxim, that, in literary composition, "nothing is beautiful which is not true." They do not intend to say, that strict and literal truth is alone beautiful in poetry or oratory; but they *mean, that* that which grossly offends against proba-

bility is not in good taste in either. The same relation subsists between beauty and utility in architecture as between truth and imagination in poetry. Utility is not to be obviously sacrificed to beauty, in the one case; truth and probability are not to be outraged for the cause of fiction and fancy, in the other. In the severer styles of architecture, beauty and utility approach so as to be almost identical. Where utility is more especially the main design, the proportions which produce it raise the sense or feeling of beauty, by a sort of reflection or deduction of the mind.

THE PUBLIC HAPPINESS.—The public happiness is to be the aggregate of the happiness of individuals. Our system begins with the individual man. It begins with him when he leaves the cradle; and it proposes to instruct him in knowledge and in morals, to prepare him for his state of manhood; on his arrival at that state, to invest him with political rights, to protect him in his property and pursuits, and in his family and social connections; and thus to enable him to enjoy, as an individual moral and rational being, what belongs to a moral and rational being. For the same reason, the arts are to be promoted for their general utility, as they affect the personal happiness and well-being of the individuals who compose the community. It would be averse to the whole spirit of our system, that we should have gorgeous and expensive public buildings, if individuals were at the same time to live in houses of mud. Our public edifices are to be reared by the surplus of wealth and the savings of labor, after the necessities and comforts of individuals are provided for; and not, like the Pyramids, by the unremitted toil of thousands of half-starved slaves. Domestic architecture, therefore, as connected with individual comfort and happiness, is to hold a first place in the esteem of our artists. Let our citizens have houses cheap, but comfortable; not gaudy, but in good taste; not judged by the portion of earth they cover, but by their symmetry, their fitness for use, and their durability.

SPEECH AT A PUBLIC DINNER AT NEW YORK.

[*March* 10. 1831.]

HAMILTON AND JAY.—The fabled birth of Minerva, from the brain of Jove, was hardly more sudden or more perfect than the financial system of the United States, as it burst forth from the conceptions of ALEXANDER HAMILTON. When the spotless ermine of the judicial robe fell on John Jay, it touched nothing less spotless than itself.

TRIALS OF OUR GOVERNMENT.—Our government has been tried in peace, and it has been tried in war, and has proved itself fit for both. It has been assailed from without, and it has successfully resisted the shock; it has been disturbed within, and it has effectually quieted the disturbance. It can stand trial, it can stand assault, it can stand adversity, it can stand everything but the marring of its own beauty, and the weakening of its own strength. It can stand everything but the effects of our own rashness and our own folly. It can stand everything but disorganization, disunion, and nullification.

PRESERVATION OF GOVERNMENT.—Next to the controlling authority of the people themselves, the preservation of the government is mainly committed to those who administer it. If conducted in wisdom, it cannot but stand strong. Its genuine, original spirit is a patriotic, liberal, and generous spirit; a spirit of friendship, and not a spirit of hostility toward the States; a spirit careful not to exceed, and equally careful not to relinquish, its just powers. While no interest can or ought to feel itself shut out from the benefits of the Constitution, none should consider those benefits as exclusively its own. The interests of all must be consulted, and reconciled, and provided for, so far as possible, that all may perceive the benefits of a united government.

THE JUDICIAL POWER.—The judicial power comes home to every man. If the legislature passes incorrect or unjust general laws, its members bear the evil as well as others. But judicature acts on individuals. It touches every private right, every private interest, and almost every private feeling. What we possess is hardly fit to be called our own, unless we feel secure in its possession; and this security, this feeling of perfect safety, cannot exist under a wicked, or even under a weak and ignorant, administration of the laws. There is no happiness, there is no liberty, there is no enjoyment of life, unless a man can say when

he rises in the morning, I shall be subject to the decision of no unjust judge to-day.

THE UNION IN NO DANGER FROM OPEN ATTACKS.—I have said what I verily believe to be true, that there is no danger to the Union from open and avowed attacks on its essential principles. Nothing is to be feared from those who will march up boldly to their own propositions, and tell us that they mean to annihilate powers exercised by Congress. But, certainly, there are dangers to the Constitution, and we ought not to shut our eyes to them. We know the importance of a firm and intelligent judiciary; but how shall we secure the continuance of a firm and intelligent judiciary? The judiciary is in the appointment of the executive power. It cannot continue or renew itself. Its vacancies are to be filled in the ordinary modes of executive appointment. If the time shall ever come (which Heaven avert), when men shall be placed in the supreme tribunal of the country, who entertain opinions hostile to the just powers of the Constitution, we shall then be visited by an evil defying all remedy. Our case will be past surgery. From that moment the Constitution is at an end. If they who are appointed to defend the castle shall betray it, woe betide those within! If I live to see that day come, I shall despair of the country. I shall be prepared to give it back to all its former afflictions, in the days of the Confederation. I know no security against the possibility of this evil, but an awakened public vigilance. I know no safety, but in that state of public opinion which shall lead it to rebuke and put down every attempt, either to gratify party by judicial appointments, or to dilute the Constitution by creating a court which shall construe away its provisions. If members of Congress betray their trust, the people will find it out before they are ruined. If the President should at any time violate his duty, his term of office is short, and popular elections may supply a seasonable remedy. But the judges of the Supreme Court possess, for very good reasons, an independent tenure of office. No election reaches them. If, with this tenure, they betray their trusts, Heaven save us! Let us hope for better results. The past, certainly, may encourage us. Let us hope that we shall never see the time when there shall exist such an awkward posture of affairs, as that the government shall be found in opposition to the Constitution, and when the guardians of the Union shall become its betrayers.

OUR COUNTRY ON COMMANDING GROUND.—Our country stands, at the present time, on commanding ground. Older nations, with different systems of government, may be somewhat slow to acknowledge all that justly belongs to us. But we may feel *without vanity*, that America is doing her part in the great work

of improving human affairs. There are two principles, strictly and purely American, which are now likely to prevail throughout the civilized world. Indeed, they seem the necessary result of the progress of civilization and knowledge. These are, *first*, popular governments, restrained by written constitutions; and, *secondly*, universal education. Popular governments and general education, acting and reacting, mutually producing and reproducing each other, are the mighty agencies which in our days appear to be exciting, stimulating, and changing civilized societies. Man, everywhere, is now found demanding a participation in government, and he will not be refused; and he demands knowledge as necessary to self-government. On the basis of these two principles, liberty and knowledge, our own American systems rest. Thus far we have not been disappointed in their result. Our existing institutions, raised on these foundations, have conferred on us almost unmixed happiness. Do we hope to better our condition by change? When we shall have nullified the present Constitution, what are we to receive in its place? As fathers, do we wish for our children better government, or better laws? As members of society, as lovers of our country, is there anything we can desire for it better than that, as ages and centuries roll over it, it may possess the same invaluable institutions which it now enjoys? For my part, I can only say, that I desire to thank the beneficent Author of all good for being born *where* I was born, and *when* I was born; that the portion of human existence allotted to me has been meted out to me in this goodly land, and at this interesting period. I rejoice that I have lived to see so much development of truth, so much progress of liberty, so much diffusion of virtue and happiness. And through good report and evil report, it will be my consolation to be a citizen of a republic unequalled in the annals of the world for the freedom of its institutions, its high prosperity, and the prospects of good which yet lie before it. Our course is onward, straight onward and forward. Let us not turn to the right hand, nor to the left. Our path is marked out for us, clear, plain, bright, distinctly defined, like the milky way across the heavens. If we are true to our country, in our day and generation, and those who come after us shall be true to it also, assuredly, assuredly, we shall elevate her to a pitch of prosperity and happiness, of honor and power, never yet reached by any nation beneath the sun.

THE CHARACTER OF WASHINGTON.

[A speech delivered in Washington, at a public Dinner, on the Centennial birthday of Washington, Feb. 22, 1832.]

I PROPOSE to you the name of that great man, in commemoration of whose birth, and in honor of whose character and services, we are here assembled. I am sure that I express a sentiment common to every one present, when I say that there is something more than ordinarily solemn and affecting in this occasion.

We are met to testify our regard for him whose name is intimately blended with whatever belongs most essentially to the prosperity, the liberty, the free institutions, and the renown of our country. That name was of power to rally a nation, in the hour of thick-thronging public disasters and calamities; that name shone, amid the storm of war, a beacon light, to cheer and guide the country's friends; it flamed, too, like a meteor, to repel her foes. That name, in the days of peace, was a loadstone, attracting to itself a whole people's confidence, a whole people's love, and the whole world's respect. That name, descending with all time, spreading over the whole earth, and uttered in all the languages belonging to the tribes and races of men, will forever be pronounced with affectionate gratitude by every one in whose breast there shall arise an aspiration for human rights and human liberty.

SENTIMENTS, INFLUENCED BY ASSOCIATIONS. — All experience evinces that human sentiments are strongly influenced by associations. The recurrence of anniversaries, or of longer periods of time, naturally freshens the recollection, and deepens the impression, of events with which they are historically connected. Renowned places, also, have a power to awaken feeling, which all acknowledge. No American can pass by the fields of Bunker Hill, Monmouth, and Camden, as if they were ordinary spots on the earth's surface. Whoever visits them feels the sentiment of love of country kindling anew, as if the spirit that belonged to the transactions which have rendered these places distinguished still hovered round, with power to move and excite all who in future time may approach them.

But neither of these sources of emotion equals the power with which great moral examples affect the mind. When sublime virtues cease to be abstractions, when they become embodied in human character, and exemplified in human conduct, we *should be false* to our own nature, if we did not indulge in the

spontaneous effusions of our gratitude and our admiration. A true lover of the virtue of patriotism delights to contemplate its purest models; and that love of country may be well suspected which affects to soar so high into the regions of sentiment as to be lost and absorbed in the abstract feeling, and becomes too elevated or too refined to glow with fervor in the commendation or the love of individual benefactors. All this is unnatural. It is as if one should be so enthusiastic a lover of poetry, as to care nothing for Homer or Milton; so passionately attached to eloquence as to be indifferent to Tully and Chatham; or such a devotee to the arts, in such an ecstasy with the elements of beauty, proportion, and expression, as to regard the masterpieces of Raphael and Michael Angelo with coldness or contempt. We may be assured, gentlemen, that he who really loves the thing itself, loves its finest exhibitions. A true friend of his country loves her friends and benefactors, and thinks it no degradation to commend and commemorate them.

WASHINGTON, EXTRAORDINARY FORTUNE OF.—It was the extraordinary fortune of Washington, that, having been intrusted, in revolutionary times, with the supreme military command, and having fulfilled that trust with equal renown for wisdom and for valor, he should be placed at the head of the first government in which an attempt was to be made on a large scale to rear the fabric of social order on the basis of a written constitution and of a pure representative principle. A government was to be established, without a throne, without an aristocracy, without castes, orders, or privileges; and this government, instead of being a democracy, existing and acting within the walls of a single city, was to be extended over a vast country, of different climates, interests, and habits, and of various communions of our common Christian faith. The experiment certainly was entirely new. A popular government of this extent, it was evident, could be framed only by carrying into full effect the principle of representation or of delegated power; and the world was to see whether society could, by the strength of this principle, maintain its own peace and good government, carry forward its own great interests, and conduct itself to political renown and glory. By the benignity of Providence, this experiment, so full of interest to us and to our posterity forever, so full of interest, indeed, to the world in its present generation and in all its generations to come, was suffered to commence under the guidance of Washington. Destined for this high career, he was fitted for it by wisdom, by virtue, by patriotism, by discretion, by whatever can inspire confidence in man toward man. In entering on the untried scenes, *early* disappointment and the premature extinc-

tion of all hope of success would have been certain, had it not been that there did exist throughout the country, in a most extraordinary degree, an unwavering trust in him who stood at the helm.

THE MEASURES OF WASHINGTON.—In the first place, all his measures were right in their intent. He stated the whole basis of his own great character, when he told the country, in the homely phrase of the proverb, that honesty is the best policy. One of the most striking things ever said of him is, that "he changed mankind's ideas of political greatness." To commanding talents, and to success, the common elements of such greatness, he added a disregard of self, a spotlessness of motive, a steady submission to every public and private duty, which threw far into the shade the whole crowd of vulgar great. The object of his regard was the whole country. No part of it was enough to fill his enlarged patriotism. His love of glory, so far as that may be supposed to have influenced him at all, spurned everything short of general approbation. It would have been nothing to him, that his partisans or his favorites outnumbered, or outvoted, or outmanaged, or outclamored, those of other leaders. He had no favorites; he rejected all partisanship; and, acting honestly for the universal good, he deserved, what he has so richly enjoyed, the universal love. His principle it was to act right, and to trust the people for support; his principle it was not to follow the lead of sinister and selfish ends, nor to rely on the little arts of party delusion to obtain public sanction for such a course. Born for his country and for the world, he did not give up to party what was meant for mankind. The consequence is, that his fame is as durable as his principles, as lasting as truth and virtue themselves. While the hundreds whom party excitement, and temporary circumstances, and casual combinations, have raised into transient notoriety, sink again, like thin bubbles, bursting and dissolving into the great ocean, Washington's fame is like the rock which bounds that ocean, and at whose feet its billows are destined to break harmlessly forever.

It should not be omitted, even in this slight reference to the general measures and general principles of the first President, that he saw and felt the full value and importance of the judicial department of the government. An upright and able administration of the laws he held to be alike indispensable to private happiness and public liberty. The temple of justice, in his opinion, was a sacred place, and he would profane and pollute it who should call any to minister in it, not spotless in character, *not* incorruptible in integrity, not competent by talent and *learning, not* a *fit* object of unhesitating trust.

WASHINGTON'S ADMONITION.—Among other admonitions, Washington has left us, in his last communication to his country, an exhortation against the excesses of party spirit. A fire not to be quenched, he yet conjures us not to fan and feed the flame. Undoubtedly, it is the greatest danger of our system and of our time. Undoubtedly, if that system should be overthrown, it will be the work of excessive party spirit, acting on the government, which is dangerous enough, or acting *in* the government, which is a thousand times more dangerous; for government then becomes nothing but organized party, and, in the strange vicissitudes of human affairs, it may come at last, perhaps, to exhibit the singular paradox of government itself being in opposition to its own powers, at war with the very elements of its own existence. Such cases are hopeless. As men may be protected against murder, but cannot be guarded against suicide, so government may be shielded from the assaults of external foes, but nothing can save it when it chooses to lay violent hands on itself.

POLITICAL PROSPERITY OF THE COUNTRY.—The political prosperity which this country has attained, and which it now enjoys, has been acquired mainly through the instrumentality of the present government. While this agent continues, the capacity of attaining to still higher degrees of prosperity exists also. We have, while this lasts, a political life capable of beneficial exertion, with power to resist or overcome misfortunes, to sustain us against the ordinary accidents of human affairs, and to promote, by active efforts, every public interest. But dismemberment strikes at the very being which preserves these faculties. It would lay its rude and ruthless hand on this great agent itself. It would sweep away, not only what we possess, but all power of regaining lost, or acquiring new possessions, It would leave the country, not only bereft of its prosperity and happiness, but without limbs, or organs, or faculties, by which to exert itself hereafter in the pursuit of that prosperity and happiness.

Other misfortunes may be borne, or their effects overcome. If disastrous war should sweep our commerce from the ocean, another generation may renew it; if it exhaust our treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again, and ripen to future harvests. It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these might be rebuilt. But who shall reconstruct the fabric of demolished government? Who shall rear again *the well-proportioned* columns of constitutional lib-

erty? Who shall frame together the skilful architecture which unites national sovereignty with State rights, individual security, and public prosperity? No, if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful, a melancholy immortality. Bitterer tears, however, will flow over them, than were ever shed over the monuments of Roman or Grecian art; for they will be the remnants of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty.

But let us hope for better things. Let us trust in that gracious Being who has hitherto held our country as in the hollow of his hand. Let us trust to the virtue and the intelligence of the people, and to the efficacy of religious obligation. Let us trust to the influence of Washington's example. Let us hope that that fear of Heaven which expels all other fear, and that regard to duty which transcends all other regard, may influence public men and private citizens, and lead our country still onward in her happy career. Full of these gratifying anticipations and hopes, let us look forward to the end of that century which is now commenced. A hundred years hence, other disciples of Washington will celebrate his birth, with no less of sincere admiration than we now commemorate it. When they shall meet, as we now meet, to do themselves and him that honor, so surely as they shall see the blue summits of his native mountains rise in the horizon, so surely as they shall behold the river on whose banks he lived, and on whose banks he rests, still flowing on toward the sea, so surely may they see, as we now see, the flag of the Union floating on the top of the Capitol; and then, as now, may the sun in his course visit no land more free, more happy, more lovely, than this our own country!

NATIONAL REPUBLICAN CONVENTION—AT WORCESTER.

[*Oct.* 12, 1832.]

A FREE PRESS.—In all popular governments, a free Press is the most important of all agents and instruments. It not only expresses public opinion, but, to a very great degree, it contributes to form that opinion. It is an engine for good or for evil, as it may be directed; but an engine of which nothing can resist the force. The conductors of the Press, in popular governments, occupy a place, in the social and political system, of the very highest consequence. They wear the character of public instructors. Their daily labors bear directly on the intelligence, the morals, the taste, and the public spirit of the country. Not only are they journalists, recording political occurrences, but they discuss principles, they comment on measures, they canvass characters; they hold a power over the reputation, the feelings, the happiness, of individuals. The public ear is always open to their addresses, the public sympathy easily made responsive to their sentiments. It is indeed, a distinction of high honor, that theirs is the only profession expressly protected and guarded by constitutional enactments. Their employment soars so high, in its general consequences it is so intimately connected with the public happiness, that its security is provided for by the fundamental law. While it acts in a manner worthy of this distinction, the Press is a fountain of light, and a source of gladdening warmth. It instructs the public mind, and animates the spirit of patriotism. Its loud voice suppresses everything which would raise itself against the public liberty; and its blasting rebuke causes incipient despotism to perish in the bud.

But remember, that these are the attributes of a free Press only. And is a Press that is purchased or pensioned more free than a Press that is fettered? Can the people look for truths to partial sources, whether rendered partial through fear or through favor? Why shall not a manacled Press be trusted with the maintenance and defence of popular rights? Because it is supposed to be under the influence of a power which may prove greater than the love of truth. Such a Press may screen abuses in government, or be silent. It may fear to speak. And may it not fear to speak, too, when its conductors, if they speak in any but one way, may lose their means of livelihood? Is dependence on government for bread no temptation to screen its abuses? Will the Press always speak the truth, when the

truth, if spoken, may be the means of silencing it for the future? Is the truth in no danger, is the watchman under no temptation, when he can neither proclaim the approach of national evils, nor seem to descry them, without the loss of his place?

FIDELITY TO THE CONSTITUTION.—Are we at a post which we are at liberty to desert when it becomes difficult to hold it? May we fly at the approach of danger? Does our fidelity to the Constitution require no more of us than to enjoy its blessings, to bask in the prosperity which it has shed around us and our fathers? and are we at liberty to abandon it in the hour of its peril, or to make for it but a faint and heartless struggle, for the want of encouragement and the want of hope? If no State come to our succor, if everywhere else the contest should be given up, here let it be protracted to the last moment. Here, where the first blood of the Revolution was shed, let the last effort be made for that which is the greatest blessing obtained by the Revolution, a free and united government. In our endeavors to maintain our existing forms of government, we are acting not for ourselves alone, but for the great cause of constitutional liberty all over the globe. We are trustees, holding a sacred treasure, in which all the lovers of freedom have a stake. Not only in revolutionized France, where there are no longer subjects, where the monarch can no longer say, I am the state; not only in reformed England, where our principles, our institutions, our practice of free government, are now daily quoted and commended; but in the depths of Germany, also, and among the desolated fields and the still smoking ashes of Poland, prayers are uttered for the preservation of our union and happiness. We are surrounded by a cloud of witnesses. The gaze of the sons of liberty, everywhere, is upon us, anxiously, intently, upon us. They may see us fall in the struggle for our Constitution and government, but Heaven forbid that they should see us recreant.

At least, let the star of Massachusetts be the last which shall be seen to fall from heaven, and to plunge into the utter darkness of disunion. Let her shrink back, let her hold others back if she can, at any rate, let her keep herself back, from this gulf, full at once of fire and of blackness; yes, as far as human foresight can scan, or human imagination fathom, full of the fire and the blood of civil war, and of the thick darkness of general political disgrace, ignominy, and ruin. Though the worst may happen that can happen, and though she may not be able to prevent the catastrophe, yet let her maintain her own integrity, her own high honor, her own unwavering fidelity, so that with respect and decency, though with a broken and a bleeding heart, she may pay *the last tribute to* a glorious, departed, free constitution.

RECEPTION AT BUFFALO.

[*June*, 1833.]

THE TARIFF QUESTION.—My sentiments, gentlemen, on the tariff question, are generally known. In my opinion, a just and a leading object in the whole system is the encouragement and protection of American manual labor. I confess, that every day's experience convinces me more and more of the high propriety of regarding this object. Our government is made for all, not for a few. Its object is to promote the greatest good of the whole; and this ought to be kept constantly in view in its administration. The far greater number of those who maintain the government belong to what may be called the industrious or productive classes of the community. With us labor is not depressed, ignorant, and unintelligent. On the contrary, it is active, spirited, enterprising, seeking its own rewards, and laying up for its own competence and its own support. The motive to labor is the great stimulus to our whole society; and no system is wise or just which does not afford this stimulus, as far as it may. The protection of American labor against the injurious competition of foreign labor, so far, at least, as respects general handicraft productions, is known historically to have been one end designed to be obtained by establishing the Constitution; and this object, and the constitutional power to accomplish it, ought never in any degree to be surrendered or compromised.

Our political institutions, gentlemen, place power in the hands of all the people; and to make the exercise of this power, in such hands, salutary, it is indispensable that all the people should enjoy, first, the means of education, and, second, the reasonable certainty of procuring a competent livelihood by industry and labor. These institutions are neither designed for, nor suited to, a nation of ignorant paupers. To disseminate knowledge, then, universally, and to secure to labor and industry their just rewards, is the duty both of the general and the State governments, each in the exercise of its appropriate powers. To be free, the people must be intelligently free; to be substantially independent, they must be able to secure themselves against want, by sobriety and industry; to be safe depositaries of political power, they must be able to comprehend and understand the general interests of the community, and must themselves have a stake in the welfare of that community. The interest of labor, therefore, has an importance, in our system, beyond what belongs to it as a mere question of political economy. It is connected with our forms of government, and our whole social system.

RECEPTION AT PITTSBURG.

[*July* 8, 1833.]

DOMESTIC INDUSTRY.—Domestic industry! How much of national power and opulence, how much of individual comfort and respectability, that phrase implies!

EMPLOYMENTS, ENCOURAGEMENT AND PROTECTION OF.—Next to the preservation of the government itself, there can hardly be a more vital question, to such a community as this, than that which regards their own employments, and the preservation of that policy which the government has adopted and cherished for the encouragement and protection of those employments. This is not, in a society like this, a matter which affects the interest of a particular class, but one which affects the interest of all classes. It runs through the whole chain of human occupation and employment, and touches the means of living and the comfort of all.

OUR GOVERNMENT POPULAR.—Our government is popular; popular in its foundation, and popular in its exercise. The actual character of the government can never be better than the general moral and intellectual character of the community. It would be the wildest of human imaginations, to expect a poor, vicious, and ignorant people to maintain a good popular government. Education and knowledge, which, as is obvious, can be generally attained by the people only where there are adequate rewards to labor and industry, and some share in the public interest, some stake in the community, would seem indispensably necessary in those who have the power of appointing all public agents, passing all laws, and even of making and unmaking constitutions at their pleasure. Hence the truth of the trite maxim that knowledge and virtue are the only foundation of republics. But it is to be added, and to be always remembered, that there never was, and never can be, an intelligent and virtuous people who at the same time are a poor and idle people, badly employed and badly paid. Who would be safe in any community, where political power is in the hands of the many and property in the hands of the few? Indeed, such an unnatural state of things could nowhere long exist.

OPINION AND CONSCIENCE FREE.—Amidst all our efforts for education, literary, moral, or religious, be it always remembered that we leave opinion and conscience free. Heaven grant that *it may be the glory* of the United States to have established two

great truths, of the highest importance to the whole human race; first, that an enlightened community *is* capable of self-government; and, second, that the toleration of all sects does *not* necessarily produce indifference to religion.

RECEPTION AT BANGOR.

[*August* 25, 1835.]

UNCONSTITUTIONAL CONFIDENCE IN MEN.—To the Union, therefore, as well as the civil liberty, to every interest which we enjoy and value, to all that makes us proud of our country, or which renders our country lovely in our own eyes, or dear to our own hearts, nothing can be more repugnant, nothing more hostile, nothing more directly destructive, than excessive, unlimited, unconstitutional confidence in men; nothing worse, than the doctrine that official agents may interpret the public will in their own way, in defiance of the Constitution and the laws; or that they may set up anything for the declaration of that will except the Constitution and the laws themselves; or that any public officer, high or low, should undertake to constitute himself or to call himself *the representative of the people*, except so far as the Constitution and the laws create and denominate him such representative. There is no usurpation so dangerous as that which comes in the borrowed name of the people. If from some other authority, or other source, prerogatives be attempted to be enforced *upon* the people, they naturally oppose and resist it. It is an open enemy, and they can easily subdue it. But that which professes to act in their own name, and by their own authority, that which calls itself their servant, although it exercises their power without legal right or constitutional sanction, requires something more of vigilance to detect, and something more of stern patriotism to repress; and if it be not seasonably both detected and repressed, then the republic is already in the downward path of those which have gone before it.

SUBMISSION TO RESTRAINTS OF CONSTITUTION.—I hold, therefore, gentlemen, that a strict submission, by every branch of the government, to the limitations and restraints of the Constitution, is of the very essence of all security for the preservation of liberty; and that no one can be a true and intelligent friend of that liberty, who will consent that any man in public station, whatever he may think of the honesty of his motives, shall assume to exercise an authority above the Constitution and the laws.

Whatever government is not a government of laws, is a despotism, let it be called what it may.

Gentlemen, on an occasion like this, I ought not to detain you longer. Let us hope for the best, in behalf of this great and happy country, and of our glorious Constitution. Indeed, gentlemen, we may well congratulate ourselves that the country is so young, so fresh, and so vigorous, that it can bear a great deal of bad government. It can take an enormous load of official mismanagement on its shoulders, and yet go ahead. Like the vessel impelled by steam, it can move forward, not only without other than the ordinary means, but even when those means oppose it; it can make its way in defiance of the elements, and

> "Against the wind, against the tide,
> Still steady, with an upright keel."

There are some things, however, which the country cannot stand. It cannot stand any shock of civil liberty, or any disruption of the Union. Should either of these happen, the vessel of the state will have no longer either steerage or motion. She will lie on the billows helpless and hopeless, the scorn and contempt of all the enemies of free institutions, and an object of indescribable grief to all their friends.

PRESENTATION OF A VASE.

[*Speech delivered in the Odeon, at Boston, Oct.* 12, 1835.]

THE CONSTITUTION OF THE COUNTRY.—"The Constitution of the country!" Gentlemen, often as I am called to contemplate this subject, its importance always rises, and magnifies itself more and more, before me. I cannot view its preservation as a concern of narrow extent, or temporary duration. On the contrary, I see in it a vast interest, which is to run down with the generations of men, and to spread over a great portion of the earth with a direct, and over the rest with an indirect, but a most powerful influence. When I speak of it here, in this thick crowd of fellow-citizens and friends, I yet behold, thronging about me, a much larger and more imposing crowd. I see a united rush of the present and the future. I see all the patriotic of our own land, and our own time. I see also the many millions of their posterity, and I see, too, the lovers of human liberty from every part of the earth, from beneath the oppressions of *thrones, and hier*archies, and dynasties, from amidst the dark-

ness of ignorance, degradation, and despotism, into which any ray of political light has penetrated; I see all those countless multitudes gather about us, and I hear their united and earnest voices, conjuring us, in whose charge the treasure now is, to hold on, and hold on to the last, by that which is our own highest enjoyment and their best hope.

THE CONSTITUTION, WHOLLY FOR IT.—I am not partly for the Constitution, and partly against it; I am wholly for it, for it altogether, for it as it is, and for the exercise, when occasion requires, of all its just powers, as they have heretofore been exercised by Washington, and the great men who have followed him in its administration.

I disdain, altogether, the character of an uncommitted man. I am committed, fully committed; committed to the full extent of all that I am, and all that I hope, to the Constitution of the country, to its love and reverence, to its defence and maintenance, to its warm commendation to every American heart, and to its vindication and just praise, before all mankind. And I am committed *against* everything which, in my judgment, may weaken, endanger, or destroy it. I am committed against the encouragement of local parties and local feelings; I am committed against all fostering of anti-national spirit; I am committed against the slightest infringement of the original compromise on which the Constitution was founded; I am committed against any and every derangement of the powers of the several departments of the government, against any derogation from the constitutional authority of Congress, and especially against all extension of executive power; and I am committed against any attempt to rule the free people of this country by the power and the patronage of the government itself. I am committed, fully and entirely committed, against making the government the people's master.

And now, gentlemen, having thus solemnly avowed these sentiments and these convictions, if you should find me hereafter to be false to them, or to falter in their support, I now conjure you, by all the duty you owe your country, by all your hopes of her prosperity and renown, by all your love for the general cause of liberty throughout the world,—I conjure you, that, renouncing me as a recreant, you yourselves go on, right on, straightforward, in maintaining, with your utmost zeal and with all your power, the true principles of the best, the happiest, the most glorious Constitution of a free government, with which it has pleased Providence, in any age, to bless any of the nations of the earth.

RECEPTION AT NEW YORK.

[*March* 15, 1837.]

ONE COUNTRY, ONE CONSTITUTION, ONE DESTINY.—Gentlemen, we are one in respect to the glorious Constitution under which we live. We are all united in the great brotherhood of American liberty. Descending from the same ancestors, bred in the same school, taught in infancy to imbibe the same general political sentiments, Americans all, by birth, education, and principle, what but a narrow mind, or woful ignorance, or besotted selfishness, or prejudices ten times blinded, can lead any of us to regard the citizens of any part of the country as strangers and aliens?

The solemn truth, moreover, is before us, that a common political fate attends us all.

Under the present Constitution, wisely and conscientiously administered, all are safe, happy, and renowned. The measure of our country's fame may fill all our breasts. It is fame enough for us all to partake in *her* glory, if we will carry her character onward to its true destiny. But if the system is broken, its fragments must fall alike on all. Not only the cause of American liberty, but the grand cause of liberty throughout the whole earth, depends, in a great measure, on upholding the Constitution and Union of these States. If shattered and destroyed, no matter by what cause, the peculiar and cherished idea of United American Liberty will be no more forever. There may be free states, it is possible, when there shall be separate states. There may be many loose, and feeble, and hostile confederacies, where there is now one great and united confederacy. But the noble idea of United American Liberty, of *our* liberty, such as our fathers established it, will be extinguished forever. Fragments and shattered columns of the edifice may be found remaining; and melancholy and mournful ruins will they be. The august temple itself will be prostrated in the dust. Gentlemen, the citizens of this republic cannot sever their fortunes. A common fate awaits us. In the hour of upholding, or in the disgrace of undermining the Constitution, we shall all necessarily partake. Let us then stand by the Constitution as it is, and by our country as it is, one, united, and entire; let it be a truth engraven on our hearts, let it be borne on the flag under which we rally, in every exigency, that we have one Country, one Constitution, one Destiny.

WHIGS OF NEW YORK.—Whigs of New York! Patriotic citizens of this great metropolis! Lovers of constitutional liberty, bound by interest and by affection to the institutions of your country, Americans in heart and in principle!—you are ready, I am sure, to fulfil all the duties imposed upon you by your situation, and demanded of you by your country. You have a central position; your city is the point from which intelligence emanates, and spreads in all directions over the whole land. Every hour carries reports of your sentiments and opinions to the verge of the Union. You cannot escape the responsibility which circumstances have thrown upon you. You must live and act, on a broad and conspicuous theatre, either for good or for evil to your country. You cannot shrink from your public duties; you cannot obscure yourselves, nor bury your talent. In the common welfare, in the common prosperity, in the common glory of Americans, you have a stake of value not to be calculated. You have an interest in the preservation of the Union, of the Constitution, and of the true principles of the government, which no man can estimate. You act for yourselves, and for the generations that are to come after you; and those who ages hence shall bear your names, and partake your blood, will feel, in their political and social condition, the consequences of the manner in which you discharge your political duties.

Having fulfilled, then, on your part and on mine, though feebly and imperfectly on mine, the offices of kindness and mutual regard required by this occasion, shall we not use it to a higher and nobler purpose? Shall we not, by this friendly meeting refresh our patriotism, rekindle our love of constitutional liberty, and strengthen our resolutions of public duty? Shall we not, in all honesty and sincerity, with pure and disinterested love of country, as Americans, looking back to the renown of our ancestors, and looking forward to the interests of our posterity, here, to-night, pledge our mutual faith to hold on to the last to our professed principles, to the doctrines of true liberty, and to the Constitution of the country, let who will prove true, or who will prove recreant? Whigs of New York! I meet you in advance, and give you my pledge for my own performance of these duties, without qualification and without reserve. Whether in public life or in private life, in the Capitol or at home, I mean never to desert them. I mean never to forget that I have a country, to which I am bound by a thousand ties; and the stone which is to lie on the ground that shall cover me, shall not bear the name of a son ungrateful to his native land.

RECEPTION AT WHEELING.

[*May* 17, 1837.]

FINANCES OF THE NATION, SOME LAWFUL CONTROL.—I will not say the only remedy is a national bank; but I will say that, in my opinion, the only sure remedy for the evils that now prey upon us is the assumption, by the delegates of the people in the national government, of some lawful control over the finances of the nation, and a power of regulating its currency.

RECEPTION AT MADISON.

[*June* 1, 1837.]

SOCIAL INTERCOURSE.—Social intercourse is the corner-stone of good government. The nation that provides no means for the improvement of its communications, has not taken the first step in civilization.

COMMON SCHOOL SYSTEM OF NEW ENGLAND.—Among the luminaries in the sky of New England, the burning lights which throw intelligence and happiness on her people, the first and most brilliant is her system of common schools. I congratulate myself that my first speech on entering public life was in their behalf. Education, to accomplish the ends of good government, should be universally diffused. Open the doors of the school-house to all the children in the land. Let no man have the excuse of poverty for not educating his own offspring. Place the means of education within his reach, and if they remain in ignorance, be it his own reproach. If one object of the expenditure of your revenue be protection against crime, you could not devise a better or cheaper means of obtaining it. Other nations spend their money in providing means for its detection and punishment, but it is the principle of our government to provide for its never occurring. The one acts by *coercion*, the other by *prevention*. On the diffusion of education among the people rest the preservation and perpetuation of our free institutions. I apprehend no danger to our country from a foreign foe. The prospect of a war with any powerful nation is too remote to be a *matter of calculation*. Besides, there is no nation on earth powerful enough to accomplish our overthrow. Our destruction, should

it come at all, will be from another quarter. From the inattention of the people to the concerns of their government, from their carelessness and negligence, I must confess that I do apprehend some danger. I fear that they may place too implicit a confidence in their public servants, and fail properly to scrutinize their conduct; that in this way they may be made the dupes of designing men, and become the instruments of their own undoing. Make them intelligent, and they will be vigilant; give them the means of detecting the wrong, and they will apply the remedy.

PUBLIC DINNER IN FANEUIL HALL.

[*July* 24, 1838.]

CONGRESS BOUND TO SECURE GOOD CURRENCY.—I maintain that Congress is bound to take care, by some proper means, to secure a good currency for the people; and that, while this duty remains unperformed, one great object of the Constitution is not attained. If we are to have as many different currencies as there are States, and these currencies are to be liable to perpetual fluctuation, it would be folly to say that we had reached that security and uniformity in commercial regulation, which we know it was the purpose of the Constitution to establish.

CURRENCY, NATIONALITY OF.—We may heap gold bags upon gold bags, we may create what securities, in the constitution of local banks, we please, but we cannot give to any such bank a character that shall insure the receipt of its notes, with equal readiness, everywhere throughout the valley of the Mississippi, and from the shores of the Gulf of Mexico to the St. Lawrence. Nothing can accomplish this, but an institution which is national in its character. The people desire to see, in their currency, the marks of this nationality. They like to see the spread eagle, and where they see that they have confidence.

THE CITY OF BOSTON.—I propose to you as a toast:—"The City of Boston: May it continue to be the head-quarters of good principles, till the blood of the Revolutionary patriots shall have run through a thousand generations!"

ROYAL AGRICULTURAL SOCIETY.

[*Delivered at Oxford, July* 18, 1839.]

GREAT MASS OF MANKIND.—Whatever else may tend to enrich and beautify society, that which feeds and clothes comfortably the great mass of mankind should always be regarded as the great foundation of national prosperity.

NATIONS SUBJECT TO MORAL RESPONSIBILITY.—We live in an age when nations, as well as individuals, are subject to a moral responsibility. Neither governments nor people—thank God for it!—can now trifle with the general sense of the civilized world; and I am sure that the civilized world would hold your country and my country to a very strict account, if, without very plain and apparent reason, deeply affecting the independence and great interests of the nation, any controversy between them should have other than an amicable issue.

I will venture to say that each country has intelligence enough to understand all that belongs to its just rights, and is not deficient in means to maintain them; and if any controversy between England and America were to be pushed to the extreme of force, neither party would or could have any signal advantage over the other, except what it could find in the justice of its cause and the approbation of the world.

THE AGRICULTURE OF ENGLAND.

[*Delivered at Boston, Jan.* 13, 1840.]

I HAD the pleasure of attending the first meeting of the Royal Agricultural Society of England, and I found it a very pleasant and interesting occasion. Persons of the highest distinction for rank, talents, and wealth were present, all zealously engaged in efforts for the promotion of the agricultural interest. No man in England is so high as to be independent of the success of this great interest; no man so low as not to be affected by its prosperity or its decline. The same is true, eminently and emphatically true, with us. Agriculture feeds us; to a great degree it clothes us; without it we could not have manufactures, and we should not have commerce. These all stand together, but they *stand together like* pillars in a cluster, the largest in the centre,

and that largest is agriculture. Let us remember, too, that we live in a country of small farms and freehold tenements; a country in which men cultivate with their own hands their own fee-simple acres, drawing not only their subsistence, but also their spirit of independence and manly freedom, from the ground they plough. They are at once its owners, its cultivators, and its defenders. And, whatever else may be undervalued or overlooked, let us never forget that the cultivation of the earth is the most important labor of man. Man may be civilized, in some degree, without great progress in manufactures and with little commerce with his distant neighbors. But without the cultivation of the earth, he is, in all countries, a savage. Until he gives up the chase, and fixes himself in some place and seeks a living from the earth, he is a roaming barbarian. When tillage begins, other arts follow. The farmers, therefore, are the founders of human civilization.

MASS MEETING AT SARATOGA.

[*Aug.* 19, 1840.]

ANALOGY BETWEEN HUMAN, AND SOCIAL AND POLITICAL SYSTEMS.—When that fluid in the human system indispensable to life becomes disordered, corrupted, or obstructed in its circulation, not the head or the heart alone suffers; but the whole body—head, heart, and hand, all the members, and all the extremities—is affected with debility, paralysis, numbness, and death. The analogy between the human system and the social and political system is complete; and what the life-blood is to the former, circulation, money currency, is to the latter; and if that be disordered or corrupted, paralysis must fall on the system.

TWO CAUSES WHICH PREVENT CHANGE.—There are two causes which keep back thousands of honest men from joining those who wish for a change. The first of these is the fear of reproach from former associates, and the pain which party denunciation is capable of inflicting. But, surely, the manliness of the American character is superior to this! Surely, no American citizen will feel himself chained to the wheels of any party, nor bound to follow it, against his conscience and his sense of the interest of the country. Resolution and decision ought to dissipate such restraints, and to leave men free at once to act upon their own convictions. Unless this can be done, party has entailed upon

us a miserable slavery, by compelling us to act against our consciences on questions of the greatest importance.

The other cause is the constant cry that the party of the administration is the true democratic party, or the more popular party in the government and in the country. The falsity of this claim has not been sufficiently exposed. It should have been met, and should be now met, not only by denial, but by proof. If they mean the new democracy,—the cry against credit, against industry, against labor, against a man's right to leave his own earnings to his own children,—why, then, doubtless, they are right; all this sort of democracy is theirs. But if by democracy they mean a conscientious and stern adherence to the true popular principles of the Constitution and the government, then I think they have very little claim to it. Is the augmentation of executive power a democratic principle? Is the separation of the currency of the government from the currency of the people a democratic principle? Is the embodying a large military force, in time of peace, a democratic principle?

Let us entreat honest men not to take names for things, nor pretences for proofs. If democracy, in any constitutional sense, belongs to our adversaries, let them show their title and produce their evidence. Let the question be examined; and let not intelligent and well-meaning citizens be kept to the support of measures which in their hearts and consciences they disapprove, because their authors put forth such loud claims to the sole possession of regard for the people.

WHIG PRINCIPLES AND PURPOSES.

[A Declaration of Principles and Purposes, adopted by a general Convention of the Whigs of New England, at Bunker Hill, on the 10th of September, 1840, prepared by Mr. Webster, and signed by him as President of the Convention.]

In the first place, we declare our unalterable attachment to that public liberty, the purchase of so much blood and treasure, in the acquisition of which the field whereon we stand obtained early and imperishable renown. Bunker Hill is not a spot on which we shall forget the principles of our fathers, or suffer anything to quench within our own bosoms the love of freedom which we have inherited from them.

In the next place, we declare our warm and hearty devotion to the Constitution of the country, and to that Union of the States which it has so happily cemented, and so long and so *prosperously* preserved. We call ourselves by no local names,

we recognize no geographical divisions, while we give utterance to our sentiments on high constitutional and political subjects. We are Americans, citizens of the United States, knowing no other country, and desiring to be distinguished by no other appellation. We believe the Constitution, while administered wisely and in its proper spirit, to be capable of protecting all parts of the country, securing all interests, and prepetuating a national brotherhood among all the States. We believe that to foment local jealousies, to attempt to prove the existence of opposite interests between one part of the country and another, and thus to disseminate feelings of distrust and alienation, while it is in contemptuous disregard of the counsels of the great father of his country, is but one form in which irregular ambition, destitute of all true patriotism, and a love of power, reckless of the means of its gratification, exhibit their unsubdued and burning desire.

We believe, too, that party spirit, however natural or unavoidable it may be in free republics, yet when it gains such an ascendency in men's minds as leads them to substitute party for country, to seek no ends but party ends and no approbation but party approbation, and to fear no reproach or contumely so that there be no party dissatisfaction, not only alloys the true enjoyment of such institutions, but weakens, every day, the foundations on which they stand.

We are in favor of the liberty of speech and of the Press; we are friends of free discussion; we espouse the cause of popular education; we believe in man's capacity for self-goverment; we desire to see the freest and widest dissemination of knowledge and of truth; and we believe, especially, in the benign influence of religious feeling and moral instruction on the social, as well as on the individual, happiness of man.

PEOPLE OF THE U. S., RIGHTS OF.—The people of the United States have a right to good government. They have a right to an honest and faithful exercise of all the powers of the Constitution, as understood and practised in the best days of the republic for the general good. They have an inalienable right to all the blessings of that *Liberty* which their fathers achieved, and all the benefits of that *Union* which their fathers established.

And standing here, this day, with the memory of those fathers fresh on our hearts, and with the fields of their glory and the monuments of their fame full in our view, with Bunker Hill beneath us, and Concord, and Lexington, and Dorchester Heights, and Faneuil Hall all around us, we here, as a part of the people, pledge ourselves to each other, and to our country, to spare no lawful and honorable efforts to vindicate and maintain these *rights, and to remove* from the high places of the nation men *who have thus* contemned and violated them.

SPEECH IN WALL STREET.

[*Sept.* 28, 1840.]

DOCTRINE WHICH MOST THREATENS OUR STANDING.—There is yet one topic on which I must detain you for a moment, and I will then relieve you. We have the good fortune, under the blessing of a benign providence, to live in a country which we are proud of for many things—for its independence, for its public liberty, for its free institutions, for its public spirit, for its enlightened patriotism. But we are proud also,—and they are among the things we should be the most proud of,—we are proud of its public justice, of its sound faith, of its substantially correct morals in the administration of the government, and the general conduct of the country, since she took her place among the nations of the world. But among the events which most threaten our character and standing, and which are so greatly at war with the moral principles that have hitherto distinguished us, are certain sentiments which have been broached among us, and, I am sorry to say, have more supporters than they ought, because they strike at the very foundation of the social system. I do not speak especially of those which have been promulgated by some persons in my own State, but of others which go yet deeper into our political condition. I refer to the doctrine, that one generation of men, acting under the Constitution, cannot bind another generation who are to be their successors; on which ground it is held, among other things, that State bonds are not obligatory. What! one generation cannot bind another? Where is the line of separation? It changes hourly. The American community to-day is not the same with the American community to-morrow. The community in which I began this day to address you was not the same as it is at this moment.

How abhorrent is such a doctrine to those great truths, which teach us that, though individuals flourish and decay, states are immortal, that political communities are ever young, ever green, ever flourishing, ever identical! The individuals who compose them may change, as the atoms of our bodies change, but the political community still exists in its aggregate capacity, as our bodies still exist in their natural capacity; with this only difference, that we know that our natural frames must soon dissolve, and return to their original dust; but for our country, she yet lives, she ever dwells in our hearts, and it will, even at the last solemn moment, go up as our final aspiration to Heaven, *that she may be* immortal.

WHIG CONVENTION AT RICHMOND.

[*Oct.* 5, 1840.]

A GOVERNMENT PRESS.—Of all things in a popular government, a *government press* is the most to be dreaded. The press furnishes the only usual means of public address; and if government, by supporting, comes to control it, then they take to themselves, at the public expense, the great channel of all communication with the people.

One of the first things which, in my opinion ought to be done, is, when a new administration shall come in, to separate the government press from the politics of the country. I don't want the government printer to preach politics to the people; because I know beforehand what politics he will preach; it will all be one *Io triumphe* from the beginning of the first page to the end of the last paragraph. I am for cutting off this power from the executive. Give the people fair play. I say, *give the people fair play.* If they think the government is in error, or that better men may be found to administer it, give them a chance to turn the present men out, and put better men in; but don't let them be compelled to give their money to pay a man to persuade them not to change the government.

QUANTITY OF LIBERTY EQUAL TO QUANTITY OF RESTRAINT.—A distinguished lover of liberty of our own time, in another hemisphere, said, with apparent paradox, that the quantity of liberty in any country is exactly equal to the quantity of restraint; because, if government is restrained from putting its hand upon you, to that extent you are free; and all regular liberty consists in putting restraints upon government and individuals, so that they shall not interfere with your freedom of action and purpose. You may easily simplify government; shallow thinkers talk of a simple government; Turkey is the simplest government in the world. But if you wish to secure entire personal liberty, you must multiply restraints upon the government, so that it cannot go farther than the public good requires. Then you may be free, and not otherwise.

RECURRENCE TO LOCAL DIFFERENCES, ETC.—There is another contrivance for the increase of executive power, which is utterly abhorrent to all true patriots, and against which, in an especial manner, General Washington has left us his farewell injunction; I mean, the constant recurrence to local differences, prejudices, and jealousies. That is the great bane and curse of this lovely country of ours.

CONGRESS NO POWER OVER INSTITUTIONS OF THE SOUTH.—I hold that Congress is absolutely precluded from interfering in any manner, direct or indirect, with this, as with any other of the institutions of the States. [The cheering was here loud and long continued, and a voice from the crowd exclaimed, "We wish this could be heard from Maryland to Louisiana, and we desire that the sentiment just expressed may be repeated. Repeat! Repeat!"] Well, I repeat it; proclaim it on the wings of all the winds, tell it to all your friends,—[cries of "We will! We will!"]—tell it, I say, that, standing here in the Capitol of Virginia, beneath an October sun, in the midst of this assemblage, before the entire country, and upon all the responsibility which belongs to me, I say that there is no power, direct or indirect, in Congress or the general government, to interfere in the slightest degree with the institutions of the South.

TRUE AMERICAN CAUSE.—Let us revile nobody; let us repel nobody. They desire but light; let us give it to them. Let us discuss with moderation and coolness the great topics of public policy, and endeavor to bring all men of American heart and feeling into what I sincerely believe to be the true AMERICAN CAUSE. How shall I,—O, how shall I express to you my sense of the obligation which rests upon this generation to preserve from destruction our free and happy republican institutions? Who shall spread fatal dissensions among us? Are we not together under one common government, to obtain which the blood of your fathers and of mine was poured out together in the same hard-fought fields? Nay, does imagination itself, in its highest flight, suggest anything in the form of political institutions for which you would exchange these dearly-bought constitutions of our own? For my part, having now arrived at that period of life when men begin to reflect upon the past, I love to draw around me in thought those pure and glorious spirits who achieved our Revolution, and established our forms of government. I cannot find a deeper or more fervent sentiment in my heart than that these precious institutions and liberties which we enjoy may be transmitted unimpaired to the latest posterity; that they may terminate only with the termination of all things earthly, when the world itself shall terminate,—

> "When, wrapped in flames, the realms of ether glow,
> And Heaven's last thunders shake the world below"

REMARKS TO THE LADIES OF RICHMOND.

[*Oct.* 5, 1840.]

GOVERNMENT, ITS INFLUENCE ON MORALS.—The rough contests of the political world are not suited to the dignity and the delicacy of your sex; but you possess the intelligence to know how much of that happiness which you are entitled to hope for, both for yourselves and for your children, depends on the right administration of government, and a proper tone of public morals. That is a subject on which the moral perceptions of woman are both quicker and juster than those of the other sex. I do not speak of that administration of government whose object is merely the protection of industry, the preservation of civil liberty, and the securing to enterprise of its due reward. I speak of government in a somewhat higher point of view; I speak of it in regard to its influence on the morals and sentiments of the community. We live in an age distinguished for great benevolent exertion, in which the affluent are consecrating the means they possess to the endowment of colleges and academies, to the building of churches, to the support of religion and religious worship, to the encouragement of schools, lyceums, and athenæums, and other means of general popular instruction. This is all well; it is admirable; it augurs well for the prospects of ensuing generations. But I have sometimes thought, that, amidst all this activity and zeal of the good and the benevolent, the influence of government on the morals and on the religious feelings of the community is apt to be overlooked or underrated. I speak, of course, of its indirect influence, of the power of its example, and the general tone which it inspires.

SOUND MORALS, PROMULGATION OF.—It is by the promulgation of sound morals in the community, and more especially by the training and instruction of the young, that woman performs her part towards the preservation of a free government. It is generally admitted that public liberty, and the perpetuity of a free constitution, rest on the virtue and intelligence of the community which enjoys it. How is that virtue to be inspired, and how is that intelligence to be communicated? Bonaparte once asked Madame de Staël in what manner he could best promote the happiness of France. Her reply is full of political wisdom. She said, "Instruct the mothers of the French people." Mothers are, indeed, the affectionate and effective teachers of the human race. The mother begins her process of training with the infant *in her arms. It is she* who directs, so to speak, its first mental

and spiritual pulsations. She conducts it along the impressible years of childhood and youth, and hopes to deliver it to the stern conflicts and tumultuous scenes of life, armed by those good principles which her child has received from maternal care and love.

If we draw within the circle of our contemplation the mothers of a civilized nation, what do we see? We behold so many artificers working, not on frail and perishable matter, but on the immortal mind, moulding and fashioning beings who are to exist for ever. We applaud the artist whose skill and genius present the mimic man upon the canvas; we admire and celebrate the sculptor who works out that same image in enduring marble: but how insignificant are these achievements, though the highest and the fairest in all the departments of art, in comparison with the great vocation of human mothers! They work, not upon the canvas that shall perish, or the marble that shall crumble into dust, but upon mind, upon spirit, which is to last forever, and which is to bear, for good or evil, throughout its duration, the impress of a mother's plastic hand.

I have already expressed the opinion, which all allow to be correct, that our security for the duration of the free institutions which bless our country depends upon habits of virtue and the prevalence of knowledge and of education. The attainment of knowledge does not comprise all which is contained in the larger term of education. The feelings are to be disciplined; the passions are to be restrained; true and worthy motives are to be inspired; a profound religious feeling is to be instilled, and pure morality inculcated, under all circumstances. All this is comprised in education. Mothers who are faithful to this great duty will tell their children, that neither in political nor in any other concerns of life can man ever withdraw himself from the perpetual obligations of conscience and of duty; that in every act, whether public or private, he incurs a just responsibility; and that in no condition is he warranted in trifling with important rights and obligations. They will impress upon their children the truth, that the exercise of the elective franchise is a social duty, of as solemn a nature as man can be called to perform; that a man may not innocently trifle with his vote; that every free elector is a trustee, as well for others as himself; and that every man and every measure he supports has an important bearing on the interests of others, as well as on his own. It is in the inculcation of high and pure morals such as these, that, in a free republic, woman performs her sacred duty, and fulfils her destiny. The French, as you know, are remarkable for their *fondness for sen*tentious phrases, in which much meaning is con-

densed into a small space. I noticed lately, on the title-page of one of the books of popular instruction in France, this motto:—"Pour instruction on the heads of the people! you owe them that baptism." And, certainly, if there be any duty which may be described by a reference to that great institute of religion,—a duty approaching it in importance, perhaps next to it in obligation,—it is this.

RECEPTION AT BOSTON.

[*Sept.* 30, 1842.]

A PUBLIC MAN.—I give no pledges, I make no intimations, one way or the other; and I will be as free, when this day closes, to act as duty calls, as I was when the dawn of this day —— (Here Mr. Webster was interrupted by tremendous applause. When silence was restored he continued:)

There is a delicacy in the case, because there is always delicacy and regret when one feels obliged to differ from his friends; but there is no embarrassment. There is no embarrassment, because, if I see the path of duty before me, I have that within me which will enable me to pursue it, and throw all embarrassment to the winds. A public man has no occasion to be embarrassed, if he is honest. Himself and his feelings should be to him as nobody and as nothing; the interest of his country must be to him as everything; he must sink what is personal to himself, making exertions for his country; and it is his ability and readiness to do this which are to mark him as a great or as a little man in time to come.

REPUDIATION.—There are in the country some men who are indiscreet enough to talk of *repudiation*,—to advise their fellow-citizens to *repudiate* public debt. Does repudiation pay a debt? Does it discharge the debtor? Can it so modify a debt that it shall not be always binding, in law as well as in morals? No, gentlemen; repudiation does nothing but add a sort of disrepute to acknowledged inability. It is our duty, so far as is in our power, to rouse the public feeling on the subject; to maintain and assert the universal principles of law and justice, and the importance of preserving public faith and credit. People say that the intelligent capitalists of Europe ought to distinguish between the United States government and the State governments. So they ought; but, gentlemen, what does all this amount to? Does not the general government comprise the same

people who make up the State governments? May not these Europeans ask us how long it may be before the national councils will repudiate public obligations?

The doctrine of repudiation has inflicted upon us a stain which we ought to feel worse than a wound; and the time has come when every man ought to address himself soberly and seriously to the correction of this great existing evil. I do not undertake to say what the Constitution allows Congress to do in the premises. I will only say, that if that great fund of the public domain properly and in equity belongs, as is maintained, to the States themselves, there are some means, by regular and constitutional laws, to enable and induce the States to save their own credit and the credit of the country.

THE LANDING AT PLYMOUTH.

[*Delivered at New York, Dec.* 22, 1843.]

THE MERCANTILE CLASSES.—I will take this occasion to say, gentlemen, that there is no truth better developed and established in the history of the United States, from the foundation of the Constitution to the present time, than this,—that the mercantile classes, the great commercial masses of the country, whose affairs connect them strongly with every State in the Union and with all the nations on the earth, whose business and profession gives a sort of nationality to their character,—that no class of men among us, from the beginning, have shown a stronger and firmer devotion to whatsoever has been designed, or to whatsoever has tended, to preserve the union of these States and the stability of the free government under which we live. The Constitution of the United States, in regard to the various municipal regulations and local interests, has left the States individual, disconnected, isolated. It has left them their own codes of criminal law; it has left them their own system of municipal regulations. But there was one great interest, one great concern, which, from the very nature of the case, was no longer to be left under the regulations of the then thirteen, afterwards twenty, and now twenty-six States but was committed, necessarily committed, to the care, the protection, and the regulation of one government; and this was that great unit, as it has been called, the commerce of the United States. There is no commerce of New York, no commerce of Massachusetts, none of Georgia, none of Alabama or *Louisiana.* *All* and singular, in the aggregate and all its parts,

is the commerce of the United States, regulated at home by a uniform system of laws under the authority of the general government, and protected abroad under the flag of our government, the glorious *E Pluribus Unum*, and guarded, if need be, by the power of the general government all over the world. There is, therefore, gentlemen, nothing more cementing, nothing that makes us more cohesive, nothing that more repels all tendencies to separation and dismemberment, than this great, this common, I may say this overwhelming interest of one commerce, one general system of trade and navigation, one everywhere and with every nation of the globe. There is no flag of any particular American State seen in the Pacific seas, or in the Baltic, or in the Indian Ocean. Who knows, or who hears, there of your proud State, or of my proud State? Who knows, or who hears, of anything, at the extremest north or south, or at the antipodes, —in the remotest regions of the Eastern or Western Sea,—who ever hears, or knows, of anything but an American ship, or of any American enterprise of a commercial character that does not bear the impression of the American Union with it?

THE SUPREMACY OF RACES.—Gentlemen, if there be anything in the supremacy of races, the experiment now in progress will develop it. If there be any truth in the idea, that those who issued from the great Caucasian fountain, and spread over Europe, are to react on India and on Asia, and to act on the whole Western world, it may not be for us, nor our children, nor our grandchildren to see it, but it will be for our descendants of some generation to see the extent of that progress and dominion of the favored races.

For myself, I believe there is no limit fit to be assigned to it by the human mind, because I find at work everywhere, on both sides of the Atlantic, under various forms and degrees of restriction on the one hand, and under various degrees of motive and stimulus on the other hand, in these branches of a common race, the great principle *of the freedom of human thought, and the respectability of individual character.* I find everywhere an elevation of the character of man as man, an elevation of the individual as a component part of society. I find everywhere a rebuke of the idea, that the many are made for the few, or that government is anything but an *agency* for mankind. And I care not beneath what zone, frozen, temperate, or torrid; I care not of what complexion, white or brown; I care not under what circumstances of climate or cultivation, if I can find a race of men on an inhabited spot of earth whose general sentiment it is, and whose general feeling it is, that government is made for man—*man, as a religious*, moral, and social being—and not

man for government, there I know that I shall find prosperity and happiness.

Gentlemen, I forbear from these remarks. I recur with pleasure to the sentiment which I expressed at the commencement of my observations. I repeat the gratification which I feel at having been referred to on this occasion by a distinguished member of the mercantile profession; and without detaining you further, I beg to offer as a sentiment,—"*The mercantile interest of the United States*, always and everywhere friendly to a united and free government."

MASS MEETING AT ALBANY.

[*Aug.* 27, 1844.]

CONSTITUTION FRAMED FOR UNION.—Gentlemen, a most authoritative, a perfectly authoritative, declaration of the objects of the people of the United States in forming a Constitution, is contained in that instrument itself, on its very face. There the words stand, an everlasting record of the intentions and purposes of those who framed it. It says it is established "in order to form a more perfect union." They, the people, framed the Constitution of the United States, for their "more perfect union,"—to "establish justice, insure domestic tranquillity, provide for the common defence, and promote the general welfare," and, finally, "to secure the blessings of liberty" to them and their posterity. Here, at the head of all these objects stand, in bold and prominent relief, the great, noble object, TO FORM A MORE PERFECT UNION *among the people of the United States.*

GOVERNMENT ESTABLISHED AT FEARFUL PERIOD.—Gentlemen, this government was established at one of the most fearful periods in the history of the human race in modern times,—just at the breaking out of that tremendous convulsion which so terribly shook Europe to her foundation, in all her interests and all her concerns, all her thrones and all her dynasties,—the French Revolution. We had just entered upon the first administration of the government under the great leader of the Revolution who had been chosen to be our great leader in the times which succeeded, the times of peace. When the French Revolution broke out, we had just commenced our national being under the present Constitution. It proved the ark of our safety. It proved competent to preserve our neutrality. It proved competent, under his administration, to keep us clear from the over-

whelming and submerging Maelstrom of European war and European conquest. In its progress it covered every sea with our flag. It replenished the treasury. It paid the debt of the Revolution. Above all, it gave us name and fame, it gave us character and standing. It made the flag *E Pluribus Unum* known wherever anything could be water-borne. In the northern and southern, the eastern and western seas, wherever our navy went, the stars and stripes went with it, and they made known that the United States of America had become *one* in all that related to their intercourse with foreign nations. It gave a general significance, a new respect, to the power-importing name of America: and on that foundation we still rest.

CONSTITUTION, GRATITUDE FOR.—Then, gentlemen, then, fellow-Americans, then, friends, if it be true that the Constitution of the United States, under the various and successive administrations that have taken place since 1789, has fulfilled all the just hopes, and more than even the most sanguine hopes, of the country, is there a question that it is the part of gratitude to God, of respect to our ancestors, the part of regard for every interest that is dear to us and to ours, to cleave to it as to the ark of our political salvation? that, however it may be with others, however others may stray from the great object of national regard, for us and ours we will *adhere* to it, we will maintain, we will defend it, to our dying day!

WHIG CONVENTION AT PHILADELPHIA.

[*Oct.* 1, 1844.]

COUNTRY NEEDS SETTLED POLICY.—What the country needs is security and stability; a permanent, settled policy, that enterprising and industrious men may be enabled to give direction to their capital and means, and labor with the assurance, with the unshaken confidence, that there will be no violent fluctuation in the state of the law.

BRETHREN OF THE SAME PRINCIPLES.—When great principles of government are at stake, when high and lasting interests are at hazard, I repeat, that, in such a crisis, friends must not allow themselves to divide upon questions respecting men, so as to defeat or endanger all their own dearest objects.

What we now do, we cannot undo. We do it once, and we do it for our generation, perhaps forever. And so much of all our highest interests, our truest prosperity, and our best hopes de-

pends on having this work well done, that I say once more,—I say it from the very bottom of my heart,—I say it with the most profound conviction of its importance,—brethren of the same principles must not be allowed to differ with regard to men.

CONVENTION AT VALLEY FORGE.

[Speech delivered at a great Convention of the whigs of Chester and Montgomery Counties, in Pennsylvania, at Valley Forge, on the 3d of October, 1844.]

LOCAL ASSOCIATION, POWER OF.—LADIES AND GENTLEMEN,—There is a mighty power in local association. All acknowledge it, and all feel it! Those places naturally inspire us with emotion, which, in the course of human history, have been connected with great and interesting events, and this power over ingenuous minds never ceases, until frequent visits familiarize the mind to the scenes.

POLITICAL PARTIES, EXISTENCE OF.—I suppose that the existence of parties in a republican government cannot be avoided; and to a certain extent, perhaps, under such form of government, they may exercise a wholesome, restraining, and necessary influence upon the rulers. But I still think that, when party spirit carries men so far that they will not inquire into the men and measures that are placed before them for their sanction and support, but will only inquire to what party the men belong, or what party recommends the measures, that is a state of things which is dangerous to the stability of a free government.

It has been said that party is the madness of many for the gain of the few. This is true, because of all inventions dangerous to liberty, of all inventions calculated to subvert free institutions and popular forms of government, of all inventions calculated to apply a bandage to the eyes of man, an unscrupulous, heated, undistinguishing spirit of party is the most effectual.

ONE PORTION OF COMMUNITY NOT TO FLOURISH AT EXPENSE OF ANOTHER.—Reason, and philosophy, and experience, and common sense, all teach that one portion of the community cannot flourish at the expense of another portion. Let us by every exertion possible, by the use of calm sober reasoning and fair argument, bring our neighbors who are of opposite opinions to ours to see things in their proper light, and to induce them to give their support to those who are their friends and the friends *of that policy* which they desire themselves to see perpetuated.

SUCCESS OF POPULAR GOVERNMENT, EXPERIMENT.—We are trying the great experiment of the success of popular government,—whether these seventeen millions of people will exercise so much intelligence, integrity, virtue, and patriotism, as shall secure to this great country forever the blessings of a free, enlightened, liberal, and popular government. In the first place, we have laid at its base a Constitution,—I had almost said, and may say, a miraculous Constitution, when we take into view all the circumstances connected with its origin and maturity,—a Constitution unequalled in its scope and design, its construction and its effect, which secures the full enjoyment of all human rights alike to every one. We are bound by a solemn duty to see that, among the candidates for the high offices in the gift of a free people, we give our votes to such as venerate that Constitution, and to none other. The principles of our government are liberty and equality, established law and order, security for public liberty and private right, a general system of education liberally diffused, the free exercise of every religious creed and opinion, and brotherly love and harmony, this last being considered peculiarly the characteristic of a happy people under a free form of government. It is to preserve all these, to see that not one of these rights and privileges is soiled in passing through the hands appointed to administer them, that not one is weakened, none injured or destroyed, that we are called upon to exercise our judgment and our privileges at the ensuing election. All these call on us with a sense of deep responsibility, whenever it is our duty to give our suffrages to the candidates for the high offices of our respective States and common country.

MAN, NONE EXCUSED FROM EXERTING POWER.—There is no man who possesses so much or so little power, no man so elevated or so humble, as to be excused from exerting all the power he possesses to bring about the desired result; because there is no man so high in station or prosperity, no man so secure in life, or the possession of this world's goods, no man so intrenched in every way, and so persuaded that he is proof against fortune or fate, as not to be in danger from the effects of that disastrous course of policy which will be pursued should our adversaries succeed at the election.

Nor is there a man so low, so much bound to daily toil, as not to have an interest in the principles which the Whig avows, those principles which reward labor, those principles which will elevate him in society, which shall fill his mouth with bread, his home with happiness, his heart with gladness.

MR. JUSTICE STORY.

[Extracts from a discourse delivered on the day of his funeral, Sept. 12 1845.]

MR. CHIEF JUSTICE, one sentiment pervades us all. It is that of the most profound and penetrating grief, mixed, nevertheless, with an assured conviction, that the great man whom we deplore is yet with us and in the midst of us. He hath not wholly died. He lives in the affections of friends and kindred, and in the high regard of the community. He lives in our remembrance of his social virtues, his warm and steady friendships, and the vivacity and richness of his conversation. He lives, and will live still more permanently, by his words of written wisdom, by the results of his vast researches and attainments, by his imperishable legal judgments, and by those juridical disquisitions which have stamped his name, all over the civilized world, with the character of a commanding authority. "Vivit, enim, vivetque semper; atque etiam latius in memoria hominum et sermone versabitur, postquam ab oculis recessit."

JUSTICE, GREAT INTEREST OF MAN.—Justice, sir, is the great interest of man on earth. It is the ligament which holds civilized beings and civilized nations together. Wherever her temple stands, and so long as it is duly honored, there is a foundation for general security, general happiness, and the improvement and progress of our race. And whoever labors on this edifice with usefulness and distinction, whoever clears its foundations, strengthens its pillars, adorns its entablatures, or contributes to raise its august dome still higher in the skies, connects himself, in name, and fame, and character, with that which is and must be as durable as the frame of human society.

CHARACTER OF MR. JUSTICE STORY.—We can bear witness to the strict uprightness and purity of his character, his simplicity and unostentatious habits, the ease and affability of his intercourse, his remarkable vivacity amidst severe labors, the cheerful and animating tones of his conversation, and his fast fidelity to friends. Some of us, also, can testify to his large and liberal charities, not ostentatious or casual, but systematic and silent,—dispensed almost without showing the hand, and falling and distilling comfort and happiness, like the dews of heaven. But we can testify, also, that in all his pursuits and employments, in all his recreations, in all his commerce with *the world, and in* his intercourse with the circle of his friends,

the predominance of his judicial character was manifest. He never forgot the ermine which he wore. The judge, the judge, the useful and distinguished judge, was the great picture which he kept constantly before his eyes, and to a resemblance of which all his efforts, all his thoughts, all his life, were devoted. We may go the world over, without finding a man who shall present a more striking realization of the beautiful conception of D'Aguesseau: "C'est en vain que l'on cherche à distinguer en lui la personne privée et la personne publique; un même esprit les anime, un même objet les réunit; l'homme, le père de famille, le citoyen, tout est en lui consacré à la gloire du magistrat."

Mr. Chief Justice, one may live as a conqueror, a king, or a magistrate; but he must die as a man. The bed of death brings every human being to his pure individuality; to the intense contemplation of that deepest and most solemn of all relations, the relations between the creature and his Creator. Here it is that fame and renown cannot assist us; that all external things must fail to aid us; that even friends, affection, and human love and devotedness, cannot succor us. This relation, the true foundation of all duty, a relation perceived and felt by conscience and confirmed by revelation, our illustrious friend, now deceased, always acknowledged. He reverenced the Scriptures of truth, honored the pure morality which they teach, and clung to the hopes of future life which they impart. He beheld enough in nature, in himself, and in all that can be known of things seen, to feel assured that there is a Supreme Power, without whose providence not a sparrow falleth to the ground. To this gracious being he trusted himself for time and for eternity; and the last words of his lips ever heard by mortal ears were a fervent supplication to his Maker to take him to himself.

PUBLIC DINNER AT PHILADELPHIA.

[*Dec* 2, 1846.]

HISTORY OF THE PAST, PRIDE IN.—Who is there—are there any?—who can look back with more pleasure and honest pride upon the history of the past? Who is there, in any part of the earth, that can contemplate the present circumstances which surround them with more satisfaction than one of this goodly land? And where are there fathers and mothers, who can look forward

with higher or better hopes for the happiness of their children, and their children's children, than the fathers and mothers now before me?

Let us soften political duties and political differences by surrounding them with friendly associations and kind feelings; and while the fathers and the sons, through successive generations, shall, with manly strength, uphold the pillars of the state, may those pillars be ornamented by the grace and beauty of mothers and daughters!

DINNER OF THE CHARLESTON BAR.

[*May* 10, 1847.]

THE LAW.—Let me say, gentlemen, that I love our common profession, and love all who honor it. I regard it as the great ornament, and one of the defences and securities, of free institutions. It is indispensable to and conservative of public liberty. I honor it from the bottom of my heart. If I am anything, it is the law—that noble profession, that sublime science which we all pursue—that has made me what I am. It has been my ambition, coeval with my early manhood, nay, with my youth, to be thought worthy to be ranged under the banner of that profession. The law has been my chief stimulus, my controlling and abiding hope, nay, I might almost say, my presiding genius and guardian angel.

We have met this evening, sir, my brothers and myself, brethren in the law, under the influence of common feelings. We are students of the same profession, followers and disciples of the same great leaders and teachers whom history has chronicled for our contemplation and example; such as the sages of the Roman jurisprudence; such as D'Aguesseau and Domat, Coke and Holt and Mansfield, and other great names in Europe; such as the masters of the profession in our own country,—great lights and luminaries in every branch of legal science and in the principles of legislation. I feel it no common good fortune to belong to a profession so useful, so honorable, and so distinguished. Although it may not always, although it does not often, in this country, lead to wealth, it does what is infinitely better and more important,—it enables us to do good in our day and generation. I repeat, it is not calculated to yield its members the greatest fortunes. It seldom, in this respect, fulfils the *sanguine expectations* of beginners in the toilsome path. After

twenty-five years' observation, I can give it as the condensed history of most, if not all, good lawyers, that they lived well and died poor.

ADMINISTRATION OF JUSTICE GREAT END OF SOCIETY.—But though not the road to wealth, our calling is not the less honorable. Out of the profession of the law, magistrates are chosen to dispense private and public justice. This is a great proof of respectability of standing in a government like ours. Merit, and not political favor, determines with us who shall occupy the seat of justice. He would profane our institutions who should be bold and daring enough to put one on the bench unqualified in mind and morals for the high position.

I have observed that the administration of justice is the great end of human society. All the complex machinery of government has for its object that a magistrate should sit in purity and intelligence, to administer justice between individuals and the country. The judiciary, selected from our profession, makes every one feel safe in life, liberty, and property. Where is there a higher function or dignity than that of a chancellor to dispense equity between litigants and to the widow and orphan? Learned and virtuous judges are the great masters, and lawyers the apprentices of justice. No morality, save that of the Saviour of mankind, is more ennobling than that of a court of equity, as illustrated in the judgments of men like D'Aguesseau and Hardwicke and Eldon, of Marshall and Desaussure and Kent and Story. No moral lesson, except those of holy writ, surpasses the teachings of these great lights of the law on the subject of fiduciary relations, and in matters of trust and confidence. An eminent lawyer cannot be a dishonest man. Tell me a man is dishonest, and I will answer he is no lawyer. He cannot be, because he is careless and reckless of justice; the law is not in his heart,—is not the standard and rule of his conduct.

LIBERTY, THE CREATURE OF LAW.—Liberty is the creature of law, essentially different from that authorized licentiousness that trespasses on right. It is a legal and a refined idea, the offspring of high civilization, which the savage never understood and never can understand. Liberty exists in proportion to wholesome restraint; the more restraint on others to keep off from us, the more liberty we have. It is an error to suppose that liberty consists in a paucity of laws. If one wants few laws, let him go to Turkey. The Turk enjoys that blessing. The working of our complex system, full of checks and restraints on legislative, executive, and judicial power, is favorable to liberty and justice. Those checks and restraints are so many safeguards *set around individual* rights and interest. That man is *free who is protected* from injury.

THE LAW, HONORABLE PROFESSION OF.—Brethren, we are apprentices of the law, the honorable profession of the law; let us make our master a grateful return. For my own part, although largely connected with other pursuits, yet will I not forget the debt I owe to the profession of the law. It found me a youth among the granite hills of my native New England, fit for nothing but to try my fortune on any cast. It was my good fortune to be directed to the law, and the result is, I have earned an honorable competence, reared a family, and shall at least leave my children the possession of a good education, and the inheritance of a good name.

In conclusion, gentlemen, I offer you the following toast:—The Law: It has honored us, may we honor it.

RECEPTION AT COLUMBIA.

[*May*, 1847.]

TO THE YOUNG MEN OF SOUTH CAROLINA COLLEGE.

"CARPE DIEM."—Let me, then, say to each of you, "Carpe diem." Art is long and science is profound, and literature, in our day, is various and extensive. But you have youth, and health, and the means of culture and improvement, and can accomplish great objects. With you it is the bright and breezy morn of life. A long day, I trust, is before you. Let me advise you to be early in prosecuting the great work, which in that day is to be done. Like the morning of the natural day, let the morning of life begin with devotion to the Great Giver of all good; and let every succeeding hour of that life be filled with acts of duty, and friendship, and private and public beneficence. The evening of such life will be full of hopes for a better; and all will be cheered and consoled by

> "that which should accompany old age,
> As honor, love, obedience, troops of friends."

RECEPTION AT SAVANNAH.

[*June*, 1847.]

SUPREME COURT, U. S.—No higher judicial tribunal exists than the Supreme Court of the United States, distinguished alike for the wisdom of its decisions and the eminent qualities of the judges who compose it, both in their private and public capacities. It is the expounder of fundamental principles of government; it is the appointed umpire on questions of the profoundest interest and most enduring consequences between conflicting sovereignties. The American people, if they are wise, will ever cherish it as their most valuable possession, since its duration will be coexistent with that of the Constitution, of which it is the sole interpreter. The decisions of this tribunal have in general commanded public respect and inspired public confidence. Great talents and great learning have adorned its bench. Some of its judgments on questions of great magnitude have manifested unsurpassed ability. Let us hope that its future may resemble its past, and that the same learning and dignity, the same integrity and firmness, which have characterized its decisions in times past, may also distinguish them in times to come.

OPENING OF THE NORTHERN R. R. TO LEBANON, N. H.

[*Nov.* 17, 1847.]

ERA EXTRAORDINARY.—It is an extraordinary era in which we live. It is altogether new. The world has seen nothing like it before. I will not pretend, no one can pretend, to discern the end; but everybody knows that the age is remarkable for scientific research into the heavens, the earth, and what is beneath the earth; and perhaps more remarkable still for the application of this scientific research to the pursuits of life. The ancients saw nothing like it. The moderns have seen nothing like it till the present generation. Shakspeare's fairy said he would

> "Put a girdle round about the earth
> In forty minutes."

Professor Morse has done more than that; his girdle requires far less time for its traverse. In fact, if one were to send a despatch from Boston by the telegraph at twelve o'clock, it would reach St. Louis at a quarter before twelve. This is what may be called doing a thing in less than no time. We see the ocean navigated and the solid land traversed by steam power, and intelligence communicated by electricity. Truly this is almost a miraculous era. What is before us no one can say, what is upon us no one can hardly realize. The progress of the age has almost outstripped human belief; the future is known only to Omniscience.

In conclusion, permit me to say that all these benefits and advantages conferred upon us by Providence should only strengthen our resolves to turn them to the best account, not merely in material progress, but in the moral improvement of our minds and hearts. Whatsoever else we may see of the wonders of science and art, our eyes should not be closed to that great truth, that, after all, "the fear of the Lord is the beginning of wisdom."

SPEECH AT MARSHFIELD.

[*Sept.* 1, 1848.]

MEXICAN TREATY.—Gentlemen, in an important crisis in English history, in the reign of Charles the Second, when the country was threatened by the accession to the throne of a prince, then called the Duke of York, who was a bigot to the Roman Catholic religion, a proposition was made to exclude him from the crown. Some said that was a very rash measure, brought forward by very rash men; that they had better admit him, and then put limitations upon him, chain him down, restrict him. When the debate was going on, a member is reported to have risen and expressed his sentiments by rather a grotesque comparison, but one of considerable force:—

> "I hear a lion, in the lobby, roar!
> Say, Mr. Speaker, shall we shut the door,
> And keep him out; or shall we let him in,
> And see if we can get him out again?"

I was for shutting the door and keeping the lion out. Other *more confident* spirits, who are of the character of Van Amburgh, *were for letting* him in, and disturbing all the interests of the

country. When this Mexican treaty came before the Senate, it had certain clauses ceding New Mexico and California to the United States. A Southern gentleman, Mr. Badger, of North Carolina, moved to strike out those clauses. Now you understand, that if a motion to strike out a clause of a treaty be supported by one third, it will be struck out; that is, two thirds of the Senate must vote for each clause, in order to have it retained. The vote on this question of striking out stood 38 to 14, not quite one third being against the cession, and so the clause was retained. And why were there not one third? Just because there were four New England Senators voting for these new territories. That is the reason.

I hope I am as ardent an advocate for peace as any man living; but I would not be carried away by the desire for peace to commit an act which I believed highly injurious, likely to have consequences of a permanent character, and indeed to endanger the existence of the government. Besides, I believed that we could have struck out the cessions of territory, and had peace just as soon. And I would be willing to go before the people and leave it to them to say, whether they would carry on the war any longer for acquisition of territory. If they would, then they were the artificers of their own fortunes.

LIBERTY OF THE UNITED STATES.—I profess to feel a strong attachment to the liberty of the United States, to the Constitution and free institutions of this country, to the honor, and I may say the glory, of my native land. I feel every injury inflicted upon it, almost as a personal injury. I blush for every fault which I think I see committed in its public councils, as if they were faults or mistakes of my own. I know that, at this moment, there is no object upon earth so much attracting the gaze of the intelligent and civilized nations of the earth as this great republic. All men look at us, all men examine our course, all good men are anxious for a favorable result to this great experiment of republican liberty. We are on a hill and cannot be hid. We cannot withdraw ourselves either from the commendation or the reproaches of the civilized world. They see us as that star of empire which half a century ago was represented as making its way westward. I wish they may see it is as a mild, placid, though brilliant orb, moving athwart the whole heavens to the enlightening and cheering of mankind; and not as a meteor of fire and blood, terrifying the nations.

JEREMIAH MASON.

[From Resolutions Presented by Mr. Webster to the Supreme Court, Nov 14, 1848]

POLITICAL EMINENCE AND FAME FADES AWAY.—Political eminence and professional fame fade away and die with all things earthly. Nothing of character is really permanent but virtue and personal worth. These remain. Whatever of excellence is wrought into the soul itself belongs to both worlds. Real goodness does not attach itself merely to this life; it points to another world. Political or professional reputation cannot last forever; but a conscience void of offence before God and man is an inheritance for eternity. *Religion*, therefore, is a necessary and indispensable element in any great human character. There is no living without it. Religion is the tie that connects man with his Creator, and holds him to his throne. If that tie be all sundered, all broken, he floats away, a worthless atom in the universe; its proper attractions all gone, its destiny thwarted, and its whole future nothing but darkness, desolation, and death. A man with no sense of religious duty is he whom the Scriptures describe, in such terse but terrific language, as living "without God in the world." Such a man is out of his proper being, out of the circle of all his duties, out of the circle of all his happiness, and away, far, far away, from the purposes of his creation.

MIND OF MR. MASON.—A mind like Mr. Mason's, active, thoughtful, penetrating, sedate, could not but meditate deeply on the condition of man below, and feel its responsibilities. He could not look on this mighty system,

"This universal frame, thus wondrous fair,"

without feeling that it was created and upheld by an Intelligence, to which all other intelligences must be responsible. I am bound to say, that in the course of my life I never met with an individual, in any profession or condition of life, who always spoke, and always thought, with such awful reverence of the power and presence of God. No irreverence, no lightness, even no too familiar allusion to God and his attributes, ever escaped his lips. The very notion of a Supreme Being was, with him, made up of awe and solemnity. It filled the whole of his great mind with the strongest emotions. A man like him, *with all his* proper sentiments and sensibilities alive in him,

must, in this state of existence, have something to believe and something to hope for; or else, as life is advancing to its close and parting, all is heart-sinking and oppression. Depend upon it, whatever may be the mind of an old man, old age is only really happy, when, on feeling the enjoyments of this world pass away, it begins to lay a stronger hold on those of another.

FESTIVAL OF THE SONS OF NEW HAMPSHIRE.

[*Nov.* 7, 1849.]

FIRE OF LIBERTY AND SWORD OF PATRIOTISM.—I think it is Madame de Staël who says, that "from the mountains of the North there comes nothing but fire and the sword." And on this occasion there did indeed come from our native mountains both fire and the sword; not the fire of devastation and desolation, not the sword of ruthless plunder and massacre, but the fire of LIBERTY and the sword of PATRIOTISM. And how ardently the one burned, and how vigorously the other was wielded till the return of peace enabled the country to sheathe it and be at rest, let the whole history of that country tell.

OUR DESTINY TO EXHIBIT GOOD GOVERNMENT.—It strikes me, and I repeat the sentiment only to show the strength of my own conviction, that our great destiny on earth is to exhibit the practicability of good, safe, secure, popular governments; to prove, and I hope we do prove, that there may be security for property, and for personal rights, that there may be provision for the maintenance of religion and morals, for an extensive diffusion of knowledge, and for carrying all branches of education and culture to their highest pitch, by means of institutions founded on republican principles. The prophecies and the poets are with us. Everybody knows Bishop Berkeley's lines, written a hundred years ago: —

> "There shall be sung another golden age,
> The rise of empire and of arts;
> The good and great inspiring epic rage,
> The wisest heads and noblest hearts.
>
> "Westward the course of empire takes its way;
> The four first acts already past,
> A fifth shall close the drama with the day:
> Time's noblest offspring is the last."

And at a *more recent* period, but still when there was nothing

to be seen in this vast North American continent but a few colonial settlements, another English poet suggests to his country, that she shall see a great nation, her own offspring, springing up, with wealth, and power, and glory, in the New World :—

> "In other lands, another Britain see ;
> And what thou art, America shall be."

But, in regard to this country, there is no poetry like the poetry of events; and all the prophecies lag behind their fulfilment.

That is the doctrine which you, and I, of America, are bound to teach. Does any body doubt that, on this broad, popular platform, there exists now, in these United States, a safe, government? Tell me where there is one safer. Or tell me of any on the face of the old world on which public faith is more confidently reposed. I say the government of the United States is one of the safest. I do not know how long it may be before it will become one of the oldest governments in the world.

We are in an age of progress. That progress is towards self-government by the enlightened portion of the community, everywhere. And the great question is, how this impulse can be carried on, without running to excess; how popular government can be established, without falling into licentiousness. That is the great question, and we have seen how difficult it is, by those not taught in the school of experience, to establish such a system.

It is a common sentiment uttered by those who would revolutionize Europe, that, to be free, men have only to *will* it. That is a fallacy. There must be prudence and a balancing of departments, and there must be persons who will teach the science of free, popular governments ; and there are but few, except in this country, who can teach that science.

EQUAL RIGHTS SELF-GOVERNMENT.—Gentlemen, two things are to be maintained and insisted on. One, that men in an enlightened age are capable of self-government; that the enjoyment of equal rights is a practicable thing ; and that freedom is not a dangerous thing for a body politic. And the other is, that freedom from restraint is not FREEDOM ; that licentiousness, the discharge from moral duties, and that general scramble which leads the idle and the extravagant to hope for a time when they may put their hands into their neighbors' pockets, call it what you please, is tyranny.

RIGHTS, UNDER SANCTION OF NATIONAL LAW.—Our rights as a

nation, like those of other nations, are held under the sanction of national law; a law which becomes more important from day to day; a law which none, who profess to agree to it, are at liberty to violate. Nor let him imagine, nor let any one imagine, that mere force can subdue the general sentiment of mankind. It is much more likely to diffuse that sentiment, and to destroy the power which he most desires to establish and secure.

MISSION AND DESTINY ASSIGNED US.—Let us do our part; let us understand the position in which we stand, as the great republic of the world, at the most interesting era of its history. Let us consider the mission and the destiny which Providence seems to have designed for us, and let us so take care of our own conduct, that, with irreproachable hearts, and with hands void of offence, we may stand up whenever and wherever called upon, and, with a voice not to be disregarded, say, This shall not be done, at least not without our protest.

PILGRIM FESTIVAL AT NEW YORK IN 1850.

OUR FATHERS, RESOLUTION, PATIENCE, AND FAITH OF.—Thanks to Almighty God, who, from that distressed early condition of our fathers, has raised us to a height of prosperity and of happiness which they neither enjoyed, nor could have anticipated! We have learned much of them; they could have foreseen little of us. Would to God, my friends, that, when we carry our affections and our recollections back to that period, we could arm ourselves with something of the stern virtues which supported them, in that hour of peril, and exposure, and suffering! Would to God that we possessed that unconquerable resolution, stronger than bars of brass or iron, which strengthened their hearts! that patience, "sovereign o'er transmuted ill," and, above all, that faith, that religious faith, which, with eyes fast fixed upon heaven, tramples all things earthly beneath her triumphant feet!

OUR FATHERS, RELIGIOUS SENTIMENT OF.—Our fathers had that religious sentiment, that trust in Providence, that determination to do right, and to seek, through every degree of toil and suffering, the honor of God, and the preservation of their liberties, which we shall do well to cherish, to imitate, and to equal, to the utmost of our ability.

TOLERATION IN RELIGION.—No doubt the "first-comers," as

they were called, were attached to their own forms of public worship, and to their own particular and strongly cherished religious opinions. No doubt they esteemed those sentiments, and the observances which they practised, to be absolutely binding on all, by the authority of the word of God. It is true, I think, in the general advancement of human intelligence, that we find, what they do not seem to have found, that a greater toleration of religious opinion, a more friendly feeling towards all who profess reverence for God and obedience to his commands, is not inconsistent with the great and fundamental principles of religion; I might rather say, is itself one of those fundamental principles. So we see in our day, I think, without any departure from the essential principles of our fathers, a more enlarged and comprehensive Christian philanthropy. It seems to be the American destiny, the mission which has been intrusted to us here on this shore of the Atlantic, the great conception and the great duty to which we are born, to show that all sects, and all denominations, professing reverence for the authority of the Author of our being, and belief in his revelations, may be safely tolerated without prejudice either to our religion or to our liberties.

In both houses of Congress, in all public offices, and all public affairs, we proceed on the idea that a man's religious belief is a matter above human law; that it is a question to be settled between him and his Maker, because he is responsible to none but his Maker for adopting or rejecting revealed truth. And here is the great distinction which is sometimes overlooked, and which I am afraid is now too often overlooked, in this land, the glorious inheritance of the sons of the Pilgrims. Men, for their religious sentiments, are accountable to God, and to God only. Religion is both a communication and a tie between man and his Maker; and to his own master every man standeth or falleth. But when men come together in society, establish social relations, and form governments for the protection of the rights of all, then it is indispensable that this right of private judgment should in some measure be relinquished and made subservient to the judgment of the whole. Religion may exist while every man is left responsible only to God. Society, civil rule, the civil state, cannot exist, while every man is responsible to nobody and to nothing but to his own opinion. And our New England ancestors understood all this quite well.

THE RIGHT OF PRIVATE JUDGMENT.—The right of pivate judgment in matters between the Creator and the individual, and submission and obedience to the will of the whole, in all that *respects civil polity*, and the administration of such affairs as

concerned the colony about to be established, they regarded as entirely consistent; and the common sense of mankind, lettered and unlettered, everywhere establishes and confirms this sentiment. Indeed, all must see that it is the very ligament, the very tie, which connects man to man, in the social system; and these sentiments are embodied in that constitution.

VOYAGE OF THE MAYFLOWER, IMPORTANCE OF.—We have hardly begun, my brethren, to realize the vast importance to human society, and to the history and happiness of the world, of the voyage of that little vessel which brought hither the love of civil and religious liberty, and the reverence of the Bible, for the instruction of the future generations of men. We have hardly begun to realize the consequences of that voyage. Heretofore the extension of our race, following our New England ancestry, has crept along the shore. But now it has extended itself. It has crossed the continent. It has not only transcended the Alleghanies, but has capped the Rocky Mountains.

THE GREAT SENTIMENT, ALL AMERICANS.—We have our private opinions, State prejudices, local ideas; but over all, submerging all, *drowning* all, is that great sentiment, that always, and nevertheless, *we are all Americans*. It is as Americans that we are known, the whole world over. Who asks what State you are from, in Europe, or in Africa, or in Asia? Is he an American? Does he belong to the United States? Does that flag protect him? Does he rest under the eagle and the stars and stripes? If he does, all else is subordinate and of but little concern.

Now it is our duty, while we live on the earth, to cherish this sentiment; to make it prevail over the whole country, even if that country should spread over the whole continent. It is our duty to carry English principles, I mean, sir, [turning to Sir Henry Bulwer,] Anglo-Saxon *American* principles, over the whole continent; the great principles of Magna Charta, of the English Revolution, and especially of the American Revolution, and of the English language. Our children will hear Shakespeare and Milton recited on the shores of the Pacific. Nay, before that, American ideas, which are essentially and originally English ideas, will penetrate the Mexican, the Spanish mind; and Mexicans and Spaniards will thank God that they have been brought to know something of civil liberty, of the trial by jury, and of security for personal right.

THE AMERICAN MIND.—Let the mind of the sober American people remain sober. Let it not inflame itself. Let it do justice to all. And the truest course, and the surest course, to disappoint those who meditate disunion, is just to leave them to them-

selves, and see what they can make of it. No, gentlemen; the time for meditated secession is past. Americans, North and South, will be hereafter more and more united. There is a sternness and severity in the public mind lately aroused. I believe that, North and South, there has been, in the last year, a renovation of public sentiment, an animated revival of the spirit of union, and, more than all, of attachment to the Constitution, regarding it as indispensably necessary; and if we would preserve our nationality, it is indispensable that this spirit of devotion should be still more largely increased. And who doubts it? If we give up that Constitution, what are we? You are a Manhattan man; I am a Boston man. Another is a Connecticut, and another a Rhode Island man. Is it not a great deal better, standing hand to hand, and clasping hands, that we should remain as we have been for sixty years, citizens of the same country, members of the same government, united all, united now, and united forever? *That we shall be, gentlemen.* There have been difficulties, contentions, controversies, angry controversies; but I tell you that, in my judgment,—

> "those opposed eyes,
> Which, like the meteors of a troubled heaven,
> All of one nature, of one substance bred,
> Did lately meet in th' intestine shock,
> Shall now, in mutual, well-beseeming ranks
> MARCH ALL ONE WAY."

PUBLIC DINNER AT BUFFALO.

[*May*, 1851.]

LAND, A THEATRE FOR LABOR.—What is land worth in the remote interior? Land is a theatre for the application and exhibition of human labor; and when human labor goes upon it, and is exerted, then it creates its value. Without this, it is not worth a rush, from "Dan to Beersheba." I do not wish to say, that on every acre of land there must be a settlement; but there must be human labor somewhere near it; there must be something besides the mathematical division apportioning it into sections, half-sections, and quarter-sections, before land is of any value whatever.

RECEPTION AT BUFFALO.

[*May* 22, 1851.]

DUTY PERFORMED.—Duty performed makes a man happy; duty neglected makes a man unhappy. I therefore, in the face of all discouragements and all dangers, was ready to go forth and do what I thought my country, your country, demanded of me. And, gentlemen, allow me to say here to-day, that if the fate of John Rogers had stared me in the face, if I had seen the stake, if I had heard the faggots already crackling, by the blessing of Almighty God I would have gone on and discharged the duty which I thought my country called upon me to perform. I would have become a martyr to save that country.

And now, gentlemen, farewell. Live and be happy. Live like patriots, live like Americans. Live in the enjoyment of the inestimable blessings which your fathers prepared for you; and if anything that I may do hereafter should be inconsistent, in the slightest degree, with the opinions and principles which I have this day submitted to you, then discard me forever from your recollection.

SPEECH TO THE YOUNG MEN OF ALBANY.

[*May* 28, 1851.]

EARLY MANHOOD.—Go on, young men of Albany! Go on, young men of the United States! Early manhood is the chief prop and support, the great reliance and hope, for the preservation of public liberty and the institutions of the land. Early manhood is ingenuous, generous, just. It looks forward to a long life of honor or dishonor, and it means that it shall, by the blessing of God, be a life of honor, of usefulness, and success, in all the professions and pursuits of life, and that it shall close, when close it must, with some claim to the gratitude of the country. Go on, then; uphold the institutions under which you were born. You are manly and bold. You fear nothing but to do wrong; dread nothing but to be found recreant to your country.

UNIT OF COMMERCE.—Gentlemen, we live under a constitution.

It has made us what we are. What has carried the American flag all over the world? What has constituted that "unit of commerce," that wherever the stars and stripes are seen, they signify that it belongs to America and united America? What is it now that represents us so respectably all over Europe? in London at this moment, and all over the world? What is it but the result of those commercial regulations which united us all together, and made our commerce the same commerce; which made all the States, New York, Massachusetts, and South Carolina, in the aspect of our foreign relations one and the same country, without division, distinction, or separation?

A PATRIOT PRESIDENT.—Gentlemen, a patriot President is the guardian, the protector, the friend, of every citizen of the United States. He should be, and he is, no man's persecutor, no man's enemy, but the supporter and the protector of all and every citizen, so far as such support and protection depend on his faithful execution of the laws. But there is especially one great idea which Washington presents, and which governed him, and which should govern every man high in office who means to resemble Washington; and that is, the duty of preserving the government itself; of suffering, so far as depends on him, no one branch to interfere with another; no power to be assumed by any department which does not belong to it, and none to be abandoned which does belong to it, but to perserve it and carry it on unharmed for the benefit of the present and future generations.

Gentlemen, a wise and prudent shipmaster makes it his first duty to perserve the vessel which carries him, and his passengers, and all that is committed to his charge; to keep her afloat, to conduct her to her destined port with entire security of property and life. That is his first object, and that should be, and is, the object of every chief magistrate of the United States, who has a proper appreciation of his duty. His first and highest duty is to preserve the Constitution which bears him, which sustains the government, without which everything goes to the bottom; to preserve that, and keep it, with the utmost of his ability and foresight, off the rocks and shoals, and away from the quicksands. To accomplish this great end, he exercises the caution of the experienced navigator. He suffers nothing to betray his watchfulness, or to draw him aside from the great interest committed to his care; but is always awake, always solicitous, always anxious, for the safety of the ship which is to carry him through the stormy seas.

"Though pleased to see the dolphins play,
He minds his compass and his way;

And oft he throws the wary lead,
To see what dangers may be hid:
At helm he makes his reason sit;
His crew of passions all submit.
Thus, thus he steers his bark, and sails,
On upright keel, to meet the gales!"

Now, gentlemen, a patriot President, acting from the impulses of this high and honorable purpose, may reach what Washington reached. He may contribute to raise high the public prosperity, to help to fill up the measure of his country's glory and renown. He may be able to find a rich reward in the thankfulness of the people,

"And read his history in a nation's eyes."

THE CONSTITUTION OF THE U. S., GREAT AND GLORIOUS INSTRUMENT.—The Constitution of the United States! What is there on the whole earth; what is there that so fills the imaginations of men under heaven; what is there that the civilized, liberalized, liberty-loving people of the world can look at, and do look at, so much as that great and glorious instrument held up to their contemplation, blazing over this western hemisphere, and darting its rays throughout the world, the Constitution of the United States of America! In Massachusetts, in New York, in Washington, its ample folds are athwart the whole heavens. Are they not seen in all America, on all the continent of Europe, gazed at and honored in Russia, in Turkey, in the Indian seas, in all the countries of the Oriental world? What is it that makes you and me here, to-day, so proud as we are of the name of America? What is it? It is almost a miracle; the achievement of half a century, by wise men under propitious circumstances, acting from patriotic motives; a miracle achieved on earth and in view of all nations; the establishment of a government, taking hold on a great continent; covering ample space for fifty other governments; having twenty-five millions of people intelligent, prosperous, brave, able to defend themselves against united mankind, and to bid defiance to the whole of them; a noble monument of republican honor and power, and of republican success, that throws a shade, and sometimes a deep and black shade, over the monarchies, and aristocracies, and despotisms of Europe. Who is there, who is there from the poles to the Mediterranean, despot, aristocrat, autocrat, who is there that now dares to speak reproachfully or in tones of derogation of the government of the United States of America? There is not one. And if we may judge, my friends, of the success of our system of government from the regard it attracts from all

nations, we may flatter ourselves that in our primitive republicanism, in our representative system, in our departure from the whole feudal code and all the prerogatives of aristocratic and autocratic power, from all the show and pageantry of courts, we shall hold ourselves up like the face of the sun, not marred by inscription, but bright in glory, and glittering in sight of all men. And so we will stand, so shine; and when the time comes when I shall be gathered to my fathers, and you to yours, that eternal, unfading sun of American liberty and republicanism, as steady in its course as the sun in the heavens, shall still pour forth its beams for the enlightenment of mankind.

THE CONSTITUTION AND THE UNION.—Gentlemen, numerous and various as are the elements of our national life, they are harmonized into one great whole,—the Constitution and the Union. With my dying breath, if I have my senses, my last prayer shall be, Heaven save my country and the Constitution! I hear the cry of disunion, secession. The secession of individual States, to my mind, is the most absurd of all ideas. I should like to know how South Carolina is to get out of this Union. Where is she to go? The commercial people of Charleston say, with truth and propriety, if South Carolina secedes from the Union, we secede from South Carolina. The thing is absurd. A separate secession is an absurdity. It could not take place. It must lead to war. I do, indeed, admit the possibility that a great mass of the Southern States, if they should come so far north as to include Virginia, might make a Southern confederation. But it would put Virginia up to all she knows to accomplish it. More than half of Virginia lies on the west slope of the Alleghanies, and is connected with the valley of the Mississippi, its people and interests, more than with those who live on tide-water. Do they think that the great western slope of the Alleghanies is to be included in a secession movement? Nevertheless, it is a most serious consideration. All know what would be the result of any dismemberment of this Union, large or small. The philosophic poet tells us, that in the frame of things, above us, beneath us, and around us there are connections, mutual dependences and relations, which link them together in one great chain of existences, beginning from the throne on high, and running down to the lowest order of beings. There seems to be some analogy between this great system of the universe and our association here as separate States; independent, yet connected; revolving in separate spheres, and yet mutually bound one with another. What the poet says of the great chain that holds all together in the moral

intellectual, and physical world, is applicable to the bond which unites the States :—

"Whatever link you strike,
Tenth, or ten thousandth, breaks the chain alike."

Now, gentlemen, it is not for me to do much more, nor attempt much more, on this theatre of action. I look on to see what others shall do, and especially to see what the rising generation shall do. I look on to see what the young men of the country are determined to do. I see them intelligent, regardless of personal objects, holding on upon what their ancestors gave them, holding on with their whole strength to the institutions of the country. I know that, when I shall slumber in the dust, the institutions of the country will be free and safe; I know that the young men of the country can preserve the country. In the language of the old Greek orator, "The young are the springtime of the people." I wish to leave my exhortation to the young men all over the country; to say to them, On you, young men of the republic, the hopes, the independence, the Union, the honor of the country, entirely depend. May God bless you! In taking leave of you, whilst I shall never forget the pleasure this occasion has given me, I give you, as a sentiment :—"The young men of Albany, the young men of this generation and of the succeeding generations: may they live forever, but may the Constitution and the Union outlive them all."

THE ADDITION TO THE CAPITOL.

[*Delivered at Washington, July* 4, 1851.]

ANNIVERSARY OF DECLARATION OF INDEPENDENCE.—On the 4th of July, 1776, the Representatives of the United States of America, in Congress assembled, declared that these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES.

This declaration, made by most patriotic and resolute men, trusting in the justice of their cause and the protection of Heaven, and yet made not without deep solicitude and anxiety, has now stood for seventy-five years, and still stands. It was sealed in blood. It has met dangers, and overcome them; it has had enemies, and conquered them; it has had detractors, and abashed them all; it has had doubting friends, but it has cleared

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all doubts away; and now, to-day, raising its august form higher than the clouds, twenty millions of people contemplate it with hallowed love, and the world beholds it, and the consequences which have followed from it, with profound admiration.

This anniversary animates and gladdens and unites all American hearts. On other days of the year we may be party men, indulging in controversies, more or less important to the public good; we may have likes and dislikes, and we may maintain our political differences, often with warm, and sometimes with angry feelings. But to-day we are Americans all; and all nothing but Americans. As the great luminary over our heads, dissipating mists and fogs, now cheers the whole hemisphere, so do the associations connected with this day disperse all cloudy and sullen weather in the minds and hearts of true Americans. Every man's heart swells within him; every man's port and bearing become somewhat more proud and lofty, as he remembers that seventy-five years have rolled away, and that the great inheritance of liberty is still his; his, undiminished and unimpaired; his in all its original glory; his to enjoy, his to protect, and his to transmit to future generations.

LIBERTY.—Fellow-citizens, this inheritance which we enjoy to-day is not only an inheritance of liberty, but of our own peculiar American liberty. Liberty has existed in other times, in other countries, and in other forms. There has been a Grecian liberty, bold and powerful, full of spirit, eloquence, and fire; a liberty which produced multitudes of great men, and has transmitted one immortal name, the name of Demosthenes, to posterity. But still it was a liberty of disconnected states, sometimes united indeed, by temporary leagues and confederacies, but often involved in wars between themselves. The sword of Sparta turned its sharpest edge against Athens, enslaved her, and devastated Greece; and, in her turn, Sparta was compelled to bend before the power of Thebes. And let it ever be remembered, especially let the truth sink deep into all American minds, that it was the WANT OF UNION among her several states which finally gave the mastery of all Greece to Philip of Macedon.

And there has also been a Roman liberty, a proud, ambitious, domineering spirit, professing free and popular principles, in Rome itself, but, even in the best days of the republic, ready to carry slavery and chains into her provinces, and through every country over which her eagles could be borne. What was the liberty of Spain, or Gaul, or Germany, or Britain, in the days of *Rome?* Did true constitutional liberty then exist? As the Roman empire declined, her provinces, not instructed in the princi-

ples of free popular government, one after another declined also, and when Rome herself fell, in the end, all fell together.

I have said, gentlemen, that our inheritance is an inheritance of American liberty. That liberty is characteristic, peculiar, and altogether our own. Nothing like it existed in former times, nor was known in the most enlightened states of antiquity; while with us its principles have become interwoven into the minds of individual men, connected with our daily opinions, and our daily habits, until it is, if I may so say, an element of social as well as of political life; and the consequence is, that to whatever region an American citizen carries himself, he takes with him, fully developed in his own understanding and experience, our American principles and opinions, and becomes ready at once, in co-operation with others, to apply them to the formation of new governments.

MAN AN INTELLECTUAL BEING.—Man is an intellectual being, destined to immortality. There is a spirit in him, and the breath of the Almighty hath given him understanding. Then only is he tending toward his own destiny, while he seeks for knowledge and virtue, for the will of his Maker, and for just conceptions of his own duty. Of all important questions, therefore, let this, the most important of all, be first asked and first answered: In what country of the habitable globe, of great extent and large population, are the means of knowledge the most generally diffused and enjoyed among the people? This question admits of one, and only one, answer. It is here; it is here in these United States; it is among the descendants of those who settled at Jamestown; of those who were pilgrims on the shore of Plymouth; and of those other races of men, who, in subsequent times, have become joined in this great American family.

MAN A RELIGIOUS BEING.—Man is not only an intellectual, but he is also a religious being, and his religious feelings and habits require cultivation. Let the religious element in man's nature be neglected, let him be influenced by no higher motives than low self-interest, and subjected to no stronger restraint than the limits of civil authority, and he becomes the creature of selfish passion or blind fanaticism.

TRIBUTE TO JACKSON AND WASHINGTON.—Before us is the broad and beautiful river, separating two of the original thirteen States, which a late President, a man of determined purpose and inflexible will, but patriotic heart, desired to span with arches of ever-enduring granite, symbolical of the firmly cemented union of the North and the South. That President was General Jackson.

On its banks repose the ashes of the Father of his Country.

and at our side, by a singular felicity of position, overlooking the city which he designed, and which bears his name, rises to his memory the marble column, sublime in its simple grandeur, and fitly intended to reach a loftier height than any similar structure on the surface of the whole earth. Let the votive offerings of his grateful countrymen be freely contributed to carry this monument higher and still higher. May I say, as on another occasion, "Let it rise; let it rise till it meet the sun in his coming; let the earliest light of the morning gild it, and parting day linger and play on its summit!"

Fellow-citizens, what contemplations are awakened in our minds as we assemble here to reënact a scene like that performed by Washington! Methinks I see his venerable form now before me, as presented in the glorious statue by Houdon, now in the Capitol of Virginia. He is dignified and grave; but concern and anxiety seem to soften the lineaments of his countenance. The government over which he presides is yet in the crisis of experiment. Not free from troubles at home, he sees the world in commotion and in arms all around him. He sees that imposing foreign powers are half disposed to try the strength of the recently established American government. We perceive that mighty thoughts, mingled with fears as well as with hopes, are struggling within him. He heads a short procession over these naked fields; he crosses yonder stream on a fallen tree; he ascends to the top of this eminence, whose original oaks of the forest stand as thick around him as if the spot had been devoted to Druidical worship, and here he performs the appointed duty of the day.

And now, fellow-citizens, if this vision were a reality; if Washington actually were now amongst us, and if he could draw around him the shades of the great public men of his own day, patriots and warriors, orators and statesmen, and were to address us in their presence, would he not say to us: "Ye men of this generation, I rejoice and thank God for being able to see that our labors and toils and sacrifices were not in vain. You are prosperous, you are happy, you are grateful; the fire of liberty burns brightly and steadily in your hearts, while DUTY and the LAW restrain it from bursting forth in wild and destructive conflagration. Cherish liberty, as you love it; cherish its securities, as you wish to preserve it. Maintain the Constitution which we labored so painfully to establish, and which has been to you such a source of inestimable blessings. Preserve the union of the States, cemented as it was by our prayers, our tears, and our blood. Be true to God, to your country, and to *your duty.* So shall the whole Eastern world follow the morn-

ing sun to contemplate you as a nation; so shall all generations honor you, as they honor us; and so shall that Almighty Power which so graciously protected us, and which now protects you, shower its everlasting blessings upon you and your posterity."

Great Father of your Country! we heed your words; we feel their force as if you now uttered them with lips of flesh and blood. Your example teaches us, your affectionate addresses teach us, your public life teaches us, your sense of the value of the blessings of the Union. Those blessings our fathers have tasted, and we have tasted, and still taste. Nor do we intend that those who come after us shall be denied the same high fruition. Our honor as well as our happiness is concerned. We cannot, we dare not, we will not, betray our sacred trust. We will not filch from posterity the treasure placed in our hands to be transmitted to other generations. The bow that gilds the clouds in the heavens, the pillars that uphold the firmament, may disappear and fall away in the hour appointed by the will of God; but until that day comes, or so long as our lives may last, no ruthless hand shall undermine that bright arch of Union and Liberty which spans the continent from Washington to California.

Fellow-citizens, take *courage;* be of *good cheer.* We shall come to no such ignoble end. We shall live, and not die. During the period allotted to our several lives, we shall continue to rejoice in the return of this anniversary. The ill-omened sounds of fanaticism will be hushed; the ghastly spectres of *Secession* and *Disunion* will disappear, and the enemies of united constitutional liberty, if their hatred cannot be appeased, may prepare to have their eyeballs seared as they behold the steady flight of the American eagle, on his burnished wings, for years and years to come.

Fellow-citizens, I now bring this address to a close, by expressing to you, in the words of the great Roman orator, the deepest wish of my heart, and which I know dwells deeply in the hearts of all who hear me: "Duo modo hæc opto; unum, UT MORIENS POPULUM ROMANUM LIBERUM RELINQUAM; hoc mihi majus a diis immortalibus dari nihil potest: alterum, ut ita cuique eveniat, ut de republicâ quisque mereatur."

And now, fellow-citizens, with hearts void of hatred, envy, and malice towards our own countrymen, or any of them, or towards the subjects or citizens of other governments, or towards any member of the great family of man; but exulting, nevertheless, in our own peace, security, and happiness, in the grateful remembrance of the past, and the glorious hopes of the future,

let us return to our homes, and with all humility and devotion offer our thanks to the Father of all our mercies, political, social, and religious.

QUALIFICATIONS FOR OFFICE.

[*In Con. of Delegates, Mass. Dec* 4, 1820.]

RELIGIOUS RESPONSIBILITY, NECESSARY IN OFFICE OF JUDGE.—There can be no office in which the sense of religious responsibility is more necessary than in that of a judge; especially of those judges who pass, in the last resort, on the lives, liberty, and property of every man. There may be among legislators strong passions and bad passions. There may be party heats and personal bitterness. But legislation is in its nature general: laws usually affect the whole society; and if mischievous or unjust, the whole society is alarmed; and seeks their repeal. The judiciary power, on the other hand, acts directly on individuals. The injured may suffer, without sympathy or the hope of redress. The last hope of the innocent, under accusation and in distress, is in the integrity of his judges. If this fail all fails; and there is no remedy, on this side the bar of Heaven. Of all places, therefore, there is none which so imperatively demands that he who occupies it should be under the fear of God, and above all other fear, as the situation of a judge.

CONSTITUTION OF MASSACHUSETTS; BASIS OF THE SENATE.

[*Dec.* 15, 1820.]

MILITARY SERVICE.—I would not be thought, Mr. Chairman, to be among those who underrate the value of military service. My heart beats, I trust, as responsive as any one's, to a soldier's claim for honor and renown. It has ever been my opinion, however, that while celebrating the military achievements of our countrymen in the Revolutionary contest, we have not always done equal justice to the merits and the sufferings of those who sustained, on their property, and on their means of subsistence, the great burden of the war. Any one, who has had occasion to be acquainted with the records of the New England towns, knows *well how to estimate* those merits and those sufferings. Nobler

records of patriotism exist nowhere. Nowhere can there be found higher proofs of a spirit that was ready to hazard all, to pledge all to sacrifice all, in the cause of the country. Instances were not infrequent, in which small freeholders parted with their last hoof, and the last measure of corn from their granaries, to supply provisions for the troops, and hire service for the ranks. The voice of Otis and of Adams in Faneuil Hall found its full and true echo in the little councils of the interior towns; and if within the Continental Congress patriotism shone more conspicuously, it did not there exist more truly, nor burn more fervently; it did not render the day more anxious, or the night more sleepless; it sent up no more ardent prayer to God, for succor; and it put forth in no greater degree the fulness of its effort, and the energy of its whole soul and spirit, in the common cause, than it did in the small assemblies of the towns. I cannot, therefore, sir, agree that it is in favor of society, or in favor of the people, to constitute government with an entire disregard to those who bear the public burdens in times of great exigency.

All government is a modification of general principles and general truths, with a view to practical utility. Personal liberty, for instance, is a clear right, and is to be provided for; but it is not a clearer right than the right of property, though it may be more important. It is, therefore, entitled to protection. But property is also to be protected; and when it is remembered how great a portion of the people of this State possess property, I cannot understand how its protection or its influence is hostile to their rights and privileges.

INDEPENDENCE OF THE JUDICIARY.

[*Mass. Con., Dec.* 30, 1820.]

UPRIGHT ADMINISTRATION OF JUSTICE—There is nothing, after all, so important to individuals as the upright administration of justice. This comes home to every man; life, liberty, reputation, property, all depend on this. No government does its duty to the people, which does not make ample and stable provision for the exercise of this part of its powers. Nor is it enough, that there are courts which will deal justly with mere private questions. We look to the judicial tribunal for protection against illegal or unconstitutional acts, from whatever quarter they may proceed. The courts of law, independent judges, and enlightened juries, are citadels of popular liberty, as well as

temples of private justice. The most essential rights connected with political liberty are there canvassed, discussed, and maintained; and if it should at any time so happen that these rights should be invaded, there is no remedy but a reliance on the courts to protect and vindicate them. There is danger, also, that legislative bodies will sometimes pass laws interfering with other private rights than those connected with political liberty. Individuals are too apt to apply to the legislative power to interfere with private cases or private property; and such applications sometimes meet with favor and support. There would be no security, if these interferences were not subject to some subsequent constitutional revision, where all parties could be heard, and justice be administered according to the standing laws.

These considerations are among those which, in my opinion, render an independent judiciary equally essential to the preservation of private rights and public liberty.

THE REVOLUTION IN GREECE.

[*Delivered in House of Representatives of U. S. Jan.* 19, 1824.]

CAUSE OF CIVIL AND RELIGIOUS LIBERTY.—What do *we* not owe to the cause of civil and religious liberty? to the principle of lawful resistance? to the principle that society has a right to partake in its own government? As the leading republic of the world, living and breathing in these principles, and advanced, by their operation, with unequalled rapidity in our career, shall we give *our* consent to bring them into disrepute and disgrace? It is neither ostentation nor boasting to say, that there lies before this country, in immediate prospect, a great extent and height of power. We are borne along towards this, without effort, and not always even with a full knowledge of the rapidity of our own motion. Circumstances which never combined before have co-operated in our favor, and a mighty current is setting us forward which we could not resist even if we would, and which, while we would stop to make an observation, and take the sun, has set us, at the end of the operation, far in advance of the place where we commenced it. Does it not become us, then, is it not a duty imposed on us to give our weight to the side of liberty and justice, to let mankind know that we are not tired of our own institutions, and to protest against the asserted power of altering at pleasure the law of the civilized world?

MORAL CAUSES.—The time has been, indeed, when fleets, and

armies, and subsidies, were the principal reliances even in the best cause. But, happily for mankind, a great change has taken place in this respect. Moral causes come into consideration, in proportion as the progress of knowledge is advanced; and the public opinion of the civilized world is rapidly gaining an ascendency over mere brutal force. It is already able to oppose the most formidable obstruction to the progress of injustice and oppression; and as it grows more intelligent and more intense, it will be more and more formidable. It may be silenced by military power, but it cannot be conquered. It is elastic, irrepressible, and invulnerable to the weapons of ordinary warfare. It is that impassible, unextinguishable enemy of mere violence and arbitrary rule, which, like Milton's angels,

> "Vital in every part, ...
> Cannot, but by annihilating, die."

PROTEST AGAINST DOCTRINES OF THE ALLIED POWERS.—There is not a power in Europe which can suppose, that, in expressing our opinions on this occasion, we are governed by any desire of aggrandizing ourselves or of injuring others. We do no more than to maintain those established principles in which we have an interest in common with other nations, and to resist the introduction of new principles and new rules, calculated to destroy the relative independence of states, and particularly hostile to the whole fabric of our government.

I close, then, sir, with repeating, that the object of this resolution is to avail ourselves of the interesting occasion of the Greek revolution to make our protest against the doctrines of the Allied Powers, both as they are laid down in principle and as they are applied in practice. I think it right, too, sir, not to be unseasonable in the expression of our regard, and, as far as that goes, in a manifestation of our sympathy with a long oppressed and now struggling people. I am not of those who would, in the hour of utmost peril, withhold such encouragement as might be properly and lawfully given, and when the crisis should be past, overwhelm the rescued sufferer with kindness and caresses. The Greeks address the civilized world with a pathos not easy to be resisted. They invoke our favor by more moving considerations than can well belong to the condition of any other people. They stretch out their arms to the Christian communities of the earth, beseeching them, by a generous recollection of their ancestors, by the consideration of their desolated and ruined cities and villages, by their wives and children sold into an accursed slavery, by their blood, which they seem willing to pour out like water,

by the common faith, and in the name, which unites all Christians, that they would extend to them at least some token of compassionate regard.

THE TARIFF.

[*House of Rep., April 2*, 1824.]

COMMERCE, NOT A GAMBLING AMONG NATIONS.—Commerce is not a gambling among nations for a stake, to be won by some and lost by others. It has not the tendency necessarily to impoverish one of the parties to it, while it enriches the other; all parties gain, all parties make profits, all parties grow rich by the operations of just and liberal commerce. If the world had but one clime and but one soil; if all men had the same wants and the same means, on the spot of their existence, to gratify those wants,—then, indeed, what one obtained from the other by exchange would injure one party in the same degree that it benefited the other; then, indeed, there would be some foundation for the balance of trade. But Providence has disposed our lot much more kindly. We inhabit a various earth. We have reciprocal wants, and reciprocal means for gratifying one another's wants. This is the true origin of commerce, which is nothing more than an exchange of equivalents, and, from the rude barter of its primitive state, to the refined and complex condition in which we see it, its principle is uniformly the same; its only object being, in every stage, to produce that exchange of commodities between individuals and between nations which shall conduce to the advantage and to the happiness of both.

MANUAL LABOR.—Of manual labor, no nation has more than a certain quantity, nor can it be increased at will. As to some operations, indeed, its place may be supplied by machinery; but there are other services which machinery cannot perform for it, and which it must perform for itself. A most important question for every nation, as well as for every individual, to propose to itself, is, how it can best apply that quantity of labor which it is able to perform. Labor is the great producer of wealth; it moves all other causes. If it call machinery to its aid, it is still employed not only in using the machinery, but in making it. Now with respect to the quantity of labor, nations are differently circumstanced. Some need, more than anything, work for hands, others require hands for work; and if we ourselves are not absolutely *in the latter* class, we are still most fortunately very near

it. I cannot find that we have those idle hands, of which the chairman of the committee speaks. The price of labor is a conclusive and unanswerable refutation of that idea; it is known to be higher with us than in any other civilized state, and this is the greatest of all proofs of general happiness. Labor in this country is independent and proud. It has not to ask the patronage of capital but capital, solicits the aid of labor.

THE JUDICIARY.

[*House of Rep., U. S., Jan.* 4, 1826.]

JUDICIAL BRANCH OF GOVERNMENT.—Of the judicial branch of the government, and of the institution of the Supreme Court, as the head of that branch, I beg to say that no man can regard it with more respect and attachment than myself. It may have friends more able, it has none more sincere. No conviction is deeper in my mind, than that the maintenance of the judicial power is essential and indispensable to the very being of this government. The Constitution without it would be no constitution; the government, no government. I am deeply sensible, too, and, as I think, every man must be whose eyes have been open to what has passed around him for the last twenty years, that the judicial power is the protecting power of the whole government. Its position is upon the outer wall. From the very nature of things and the frame of the Constitution, it forms the point at which our different systems of Government meet in collision, when collision unhappily exists. By the absolute necessity of the case, the members of the Supreme Court become judges of the extent of constitutional powers. They are, if I may so call them, the great arbitrators between contending sovereignties. Every man is able to see how delicate and how critical must be the exercise of such powers in free and popular governments. Suspicion and jealousy are easily excited, under such circumstances, against a body, necessarily few in number, and possessing by the Constitution a permanent tenure of office. While public men in more popular parts of the government may escape without rebuke, notwithstanding they may sometimes act upon opinions which are not acceptable, that impunity is not to be expected in behalf of judicial tribunals. It cannot but have attracted observation, that, in the history of our government, the courts have not been able to avoid severe, and sometimes angry *complaint, for giving* their sanction to those public measures

which the representatives of the people had adopted without exciting particular disquietude. Members of this and the other house of Congress, acting voluntarily, and in the exercise of their general discretion, have enacted laws without incurring an uncommon degree of dislike or resentment; and yet, when those very laws have been brought before the court, and the question of their validity has been distinctly raised, and is necessarily to be determined, the judges affirming the constitutional validity of such acts, although the occasion was forced upon them, and they were absolutely bound to express the one opinion or the other, have, nevertheless, not escaped a severity of reproach bordering upon the very verge of denunciation. This experience, while it teaches us the dangers which environ this department, instructs us most persuasively in its importance. For its own security, and the security of the other branches of the government, it requires such an extraordinary union of discretion and firmness, of ability and moderation, that nothing in the country is too distinguished for sober sense or too gifted with powerful talent, to fill the situations belonging to it.

THE PANAMA MISSION.

[A Speech delivered in the House of Representatives of the United States, on the 14th of April, 1826.]

SOUTH AMERICAN INDEPENDENCE.—If we look back on the history of Europe, we see for how great a portion of the last two centuries her states have been at war for interests connected mainly with her feudal monarchies. Wars for particular dynasties, wars to support or prevent particular successions, wars to enlarge or curtail the dominions of particular crowns, wars to support or to dissolve family alliances, wars to enforce or to resist religious intolerance,—what long and bloody chapters do not these fill in the history of European politics! Who does not see, and who does not rejoice to see, that America has a glorious chance of escaping at least these causes of contention? Who does not see, and who does not rejoice to see, that, on this continent, under other forms of government, we have before us the noble hope of being able, by the mere influence of civil liberty and religious toleration, to dry up these outpouring fountains of blood, and too extinguish these consuming fires of war. The general opinion of the age favors such hopes and such *prospects.* There is a growing disposition to treat the inter-

course of nations more like the useful intercourse of friends; philosophy, just views of national advantage, good sense, the dictates of a common religion, and an increasing conviction that war is not the interest of the human race, all concur to magnify the importance of this new accession to the list of nations.

We have heard it said, sir, that the topic of South American independence is worn out, and threadbare. Such it may be, sir, to those who have contemplated it merely as an article of news, like the fluctuation of the markets, or the rise and fall of stocks. Such it may be to those who can see no consequences following from these great events. But whoever has either understood their present importance, or can at all estimate their future influence, whoever has reflected on the new relations they introduce with other states, whoever, among ourselves especially, has meditated on the new relations which we now bear to them, and the striking attitude in which we ourselves are now placed, as the oldest of the American nations, will feel that the topic can never be without interest; and will be sensible that, whether we are wise enough to perceive it or not, the establishment of South American independence will affect all nations, and ourselves perhaps more than any other, through all coming time.

REVOLUTION OF SPAIN.—We have known nothing, we have felt nothing, of the political despotism of Spain, nor of the heat of her fires of intolerance. No rational man expects that the South can run the same rapid career as the North; or that an insurgent province of Spain is in the same condition as the English colonies when they first asserted their independence. There is, doubtless, much more to be done in the first than in the last case. But on that account the honor of the attempt is not less; and if all difficulties shall be in time surmounted, it will be greater. The work may be more arduous, it is not less noble, because there may be more of ignorance to enlighten, more of bigotry to subdue, more of prejudice to eradicate. If it be a weakness to feel a strong interest in the success of these great revolutions, I confess myself guilty of that weakness. If it be weak *to feel that I am* an American, to think that recent events have not only opened new modes of intercourse, but have created also new grounds of regard and sympathy between ourselves and our neighbors; if it be weak to feel that the South, in her present state, is somewhat more emphatically a part of America than when she lay obscure, oppressed, and unknown, under the grinding bondage of a foreign power; if it be weak to rejoice when, even in any corner of the earth, human beings are able to rise from beneath oppression, to erect themselves, and to enjoy the *proper happiness* of their intelligent nature;—if this be *weak, it is a weakness* from which I claim no exemption.

A day of solemn retribution now visits the once proud monarchy of Spain. The prediction is fulfilled. The spirit of Montezuma and of the Incas might now well say,—

> "Art thou, too, fallen, Iberia? Do we see
> The robber and the murderer weak as we?
> Thou! that hast wasted earth and dared despise
> Alike the wrath and mercy of the skies,
> Thy pomp is in thy grave; thy glory laid
> Low in the pits thine avarice has made." *

SYMPATHY IN ESTABLISHMENT OF SOUTH AMERICAN LIBERTY.—Mr. Chairman, I will only detain you with one more reflection on this subject. We cannot be so blind, we cannot so shut up our senses and smother our faculties, as not to see, that, in the progress and the establishment of South American liberty, our own example has been among the most stimulating causes. In their emergencies, they have looked to our experience; in their political institutions, they have followed our models; in their deliberations, they have invoked the presiding spirit of our own liberty. They have looked steadily, in every adversity, to the *great Northern light.* In the hour of bloody conflict, they have remembered the fields which have been consecrated by the blood of our own fathers; and when they have fallen, they have wished only to be remembered with them, as men who had acted their parts bravely for the cause of liberty in the Western World.

Sir, I have done. If it be weakness to feel the sympathy of one's nature excited for such men, in such a cause, I am guilty of that weakness. If it be prudence to meet their proffered civility, not with reciprocal kindness, but with coldness, or with insult, I choose still to follow where natural impulse leads, and to give up that false and mistaken prudence for the voluntary sentiments of my heart.

* Cowper's "Charity."

REVOLUTIONARY OFFICERS.

[A Speech delivered in the Senate of the United States, on the 25th of April, 1828, on the Bill for the relief of the Surviving Officers of the Revolution.]

SURVIVING OFFICERS OF THE REVOLUTION.—The militia who fought at Concord, at Lexington, and at Bunker's Hill, have been alluded to, in the course of this debate, in terms of well-deserved praise. Be assured, sir, there could with difficulty be found a man who drew his sword, or carried his musket, at Concord, at Lexington, or Bunker's Hill, who would wish you to reject this bill. They might ask you to do more, but never to refrain from doing this. Would to God they were assembled here, and had the fate of the bill in their own hands! Would to God the question of its passage were to be put to them! They would affirm it, with a unity of acclamation that would rend the roof of the Capitol.

Mr. President, allow me to repeat; that neither the subject nor the occasion is an ordinary one. Our own fellow-citizens do not so consider it; the world will not so regard it. A few deserving soldiers are before us, who served their country faithfully through a seven years' war. That war was a civil war. It was commenced on principle, and sustained by every sacrifice, on the great ground of civil liberty. They fought bravely, and bled freely. The cause succeeded, and the country triumphed. But the condition of things did not allow that country, sensible as it was to their services and merits, to do them the full justice which it desired. It could not entirely fulfil its engagements. The army was to be disbanded; but it was unpaid. It was to lay down its own power; but there was no government with adequate power to perform what had been promised to it. In this critical moment, what is its conduct? Does it disgrace its high character? Is temptation able to seduce it? Does it speak of righting itself? Does it undertake to redress its own wrongs by its own sword? Does it lose its patriotism in its deep sense of injury and injustice? Does military ambition cause its integrity to swerve? Far, far otherwise.

It had faithfully served and saved the country; and to that country it now referred, with unhesitating confidence, its claim and its complaints. It laid down its arms with alacrity; it mingled itself with the mass of the community; and it waited till, in better times, and under a new government, its services might be rewarded, and the promises made to it fulfilled. Sir, this ex-

ample is worth more, far more, to the cause of civil liberty, than this bill will cost us. We can hardly recur to it too often, or dwell on it too much, for the honor of our country and of its defenders. Allow me to say, again, that meritorious service in civil war is worthy of peculiar consideration ; not only because there is, in such wars, usually less power to restrain irregularities, but because, also, they expose all prominent actors in them to different kinds of danger. It is rebellion as well as war. Those who engage in it must look, not only to the dangers of the field, but to confiscation also, and attainder, and ignominious death. With no efficient and settled government, either to sustain or to control them, and with every sort of danger before them, it is great merit to have conducted themselves with fidelity to the country, under every discouragement on the one hand, and with unconquerable bravery towards the common enemy on the other. Such, sir, was the conduct of the officers and soldiers of the Revolutionary army.

I would not, and do not, underrate the services or the sufferings of others. I know well, that in the Revolutionary contest all made sacrifices, and all endured sufferings ; as well those who paid for service, as those who performed it. I know that, in the records of all the little municipalities of New England, abundant proof exists of the zeal with which the cause was espoused, and the sacrifices with which it was cheerfully maintained. I have often there read, with absolute astonishment, of the taxes, the contributions, the heavy subscriptions, sometimes provided for by disposing of the absolute necessaries of life, by which enlistments were procured, and food and clothing furnished. It would be, sir, to these same municipalities, to these same little patriotic councils of Revolutionary times, that I should now look, with most assured confidence, for a hearty support of what this bill proposes. There, the scale of Revolutionary merit stands high. There are still those living who speak of the 19th of April, and the 17th of June, without thinking it necessary to add the year. These men, one and all, would rejoice to find that those who stood by the country bravely, through the doubtful and perilous struggle which conducted it to independence and glory, had not been forgotten in the decline and close of life.

The objects, then, sir, of the proposed bounty, are most worthy and deserving objects. The services which they rendered were in the highest degree useful and important. The country to which they rendered them is great and prosperous. They have lived to see it glorious ; let them not live to see it unkind. For me, I can give them but my vote and my prayers ; and I *give them both* with my whole heart.

FIRST SPEECH ON FOOT'S RESOLUTION.

[*Delivered in the U. S. Senate, Jan.* 20, 1830.]

CONSOLIDATION.—Consolidation!—that perpetual cry both of terror and delusion,—Consolidation! Sir, when gentlemen speak of the effects of a common fund, belonging to all the States, as having a tendency to consolidation, what do they mean? Do they mean, or can they mean, anything more than that the union of the States will be strengthened by whatever continues or furnishes inducements to the people of the States to hold together? If they mean merely this, then, no doubt, the public lands, as well as everything else in which we have a common interest, tend to consolidation; and to this species of consolidation every true American ought to be attached; it is neither more or less than strengthening the Union itself. This is the sense in which the framers of the Constitution use the word *consolidation*, and in this sense I adopt and cherish it. They tell us, in the letter submitting the Constitution to the consideration of the country, that, "In all our deliberations on this subject, we kept steadily in our view that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the Convention to be less rigid on points of inferior magnitude, than might have been otherwise expected."

This, sir, is General Washington's consolidation. This is the true, constitutional consolidation. I wish to see no new powers drawn to the general government; but I confess I rejoice in whatever tends to strengthen the bond that unites us, and encourages the hope that our Union may be perpetual.

PUBLIC LANDS, DISPOSITION OF.—Sir, it was one among the reasons assigned by the honorable member for his wish to be rid of the public lands altogether, that the public disposition of them, and the revenues derived from them, tend to corrupt the people. This, sir, I confess, passes my comprehension. These lands are sold at public auction, or taken up at fixed prices, to form farms and freeholds. Whom does this corrupt? According to the system of sales, a fixed proportion is everywhere reserved, as a fund for education. Does education corrupt? Is the schoolmaster a corrupter of youth? the spelling-book, does it break down the morals of the rising generation? and the Holy Scriptures, are they fountains of corruption? Or if, in the ex-

ercise of a provident liberality, in regard to its own property as a great landed proprietor, and to high purposes of utility towards others, the government gives portions of these lands to the making of a canal, or the opening of a road, in the country where the lands themselves are situated, what alarming and overwhelming corruption follows from all this? Can there be nothing pure in government except the exercise of mere control? Can nothing be done without corruption, but the impositions of penalty and restraint? Whatever is positively beneficent, whatever is actively good, whatever spreads abroad benefits and blessings which all can see and all can feel, whatever opens channels of intercourse, augments population, enhances the value of property and diffuses knowledge,—must all this be rejected and reprobated as a dangerous and obnoxious policy, hurrying us to the double ruin of a government, turned into despotism by the mere exercise of acts of beneficence, and of a people, corrupted, beyond hope of rescue, by the improvement of their condition?

SECOND SPEECH ON FOOT'S RESOLUTION.

[*U. S. Senate, Jan.* 26, 1830.]

WHEN this debate, sir, was to be resumed, on Thursday morning, it so happened that it would have been convenient for me to be elsewhere. The honorable member, however, did not incline to put off the discussion to another day. He had a shot, he said, to return, and he wished to discharge it. That shot, sir, which he thus kindly informed us was coming, that we might stand out of the way, or prepare ourselves to fall by it and die with decency, has now been received. Under all advantages, and with expectation awakened by the tone which preceded it, it has been discharged, and has spent its force. It may become me to say no more of its effects, than that, if nobody is found, after all, either killed or wounded, it is not the first time, in the history of human affairs, that the vigor and success of the war have not quite come up to the lofty and sounding phrase of the manifesto.

THE COALITION.—But, sir, the Coalition! The Coalition! Ay, "the murdered Coalition!" The gentleman asks, if I were led or frighted into this debate by the spectre of the Coalition. "Was it the ghost of the murdered Coalition," he exclaims, "which haunted the member from Massachusetts; and which, *like the ghost* of Banquo, would never down?" "The mur-

dered Coalition!" Sir, this charge of a coalition, in reference to the late administration, is not original with the honorable member. It did not spring up in the Senate. Whether as a fact, as an argument, or as an embellishment, it is all borrowed. He adopts it, indeed, from a very low origin, and a still lower present condition. It is one of the thousand calumnies with which the press teemed, during an excited political canvass. It was a charge, of which there was not only no proof or probability, but which was in itself wholly impossible to be true. No man of common information ever believed a syllable of it. Yet it was of that class of falsehoods, which, by continued repetition, through all the organs of detraction and abuse, are capable of misleading those who are already far misled; and of further fanning passion already kindling into flame. Doubtless it served in its day, and in greater or less degree, the end designed by it. Having done that, it has sunk into the general mass of stale and loathed calumnies. It is the very cast-off slough of a polluted and shameless press. Incapable of further mischief, it lies in the sewer, lifeless and despised. It is not now, sir, in the power of the honorable member to give it dignity or decency, by attempting to elevate it, and to introduce it into the Senate. He cannot change it from what it is, an object of general disgust and scorn. On the contrary, the contact, if he choose to touch it, is more likely to drag him down, down, to the place where it lies itself.

But, sir, the honorable member was not, for other reasons, entirely happy in his allusion to the story of Banquo's murder and Banquo's ghost. It was not, I think, the friends, but the enemies of the murdered Banquo, at whose bidding his spirit would not *down*. The honorable gentleman is fresh in his reading of the English classics, and can put me right if I am wrong; but, according to my poor recollection, it was at those who had begun with caresses and ended with foul and treacherous murder that the gory locks were shaken. The ghost of Banquo, like that of Hamlet, was an honest ghost. It disturbed no innocent man. It knew where its appearance would strike terror, and who would cry out, A ghost! It made itself visible in the right quarter, and compelled the guilty and the conscience-smitten, and none others, to start, with,

> "Pr'ythee, see there! behold!—look! lo
> If I stand here, I saw him!"

Their eyeballs were seared (was it not so, sir?) who had thought to shield themselves by concealing their own hand, and laying *the imputation* of the crime on a low and hireling agency *in wickedness; who* had vainly attempted to stifle the workings

of their own coward consciences by ejaculating through white lips and chattering teeth, "Thou canst not say I did it!" I have misread the great poet if those who had no way partaken in the deed of the death, either found that they were, or *feared that they should be*, pushed from their stools by the ghost of the slain, or exclaimed to a spectre created by their own fears and their own remorse, "Avaunt! and quit our sight!"

There is another particular, sir, in which the honorable member's quick perception of resemblances might, I should think, have seen something in the story of Banquo, making it not altogether a subject of the most pleasant contemplation. Those who murdered Banquo, what did they win by it? Substantial good? Permanent power? Or disappointment, rather, and sore mortification; dust and ashes, the common fate of vaulting ambition overleaping itself? Did not even-handed justice ere long commend the poisoned chalice to their own lips? Did they not soon find that for another they had "filed their mind"? that their ambition, though apparently for the moment successful, had but put a barren sceptre in their grasp? Ay, sir,

> "a barren sceptre in their gripe,
> *Thence to be wrenched with an unlineal hand,*
> *No son of theirs succeeding.*"

Sir, I need pursue the allusion no farther. I leave the honorable gentleman to run it out at his leisure, and to derive from it all the gratification it is calculated to administer. If he finds himself pleased with the associations, and prepared to be quite satisfied, though the parallel should be entirely completed, I had almost said, I am satisfied also; but that I shall think of. Yes, sir, I will think of that.

POWER, FOR GENERAL BENEFIT.—Sir, I do not desire to enlarge the powers of the government by unjustifiable construction, nor to exercise any not within a fair interpretation. But when it is believed that a power does exist, then it is, in my judgment, to be exercised for the general benefit of the whole. So far as respects the exercise of such a power, the States are one. It was the very object of the Constitution to create unity of interests to the extent of the powers of the general government. In war and peace we are one; in commerce, one; because the authority of the general government reaches to war and peace, and to the regulation of commerce. I have never seen any more difficulty in erecting lighthouses on the lakes, than on the ocean; in improving the harbors of inland seas, than if they were within the ebb and flow of the tide; or in removing obstructions in the vast streams of the West, more than in any

work to facilitate commerce on the Atlantic coast. If there be any power for one, there is power also for the other: and they are all and equally for the common good of the country.

COMMON REVENUE.—Why all this fear of revenue? Why, sir, because, as the gentleman told us, it tends to consolidation. Now this can mean neither more nor less than that a common revenue is a common interest, and that all common interests tend to preserve the union of the States. I confess I like that tendency; if the gentleman dislikes it, he is right in deprecating a shilling of fixed revenue. So much, sir, for consolidation.

THE TARIFF.—Sir, as to the general subject of the tariff, I have little now to say. Another opportunity may be presented. I remarked the other day, that this policy did not begin with us in New England; and yet, sir, New England is charged with vehemence as being favorable, or charged with equal vehemence as being unfavorable, to the tariff policy, just as best suits the time, place, and occasion for making some charge against her. The credulity of the public has been put to its extreme capacity of false impression relative to her conduct in this particular. Through all the South, during the late contest, it was New England policy and a New England administration that were afflicting the country with a tariff beyond all endurance; while on the other side of the Alleghanies even the act of 1828 itself the very sublimated essence of oppression, according to Southern opinions, was pronounced to be one of those blessings for which the West was indebted to the "generous South."

With large investments in manufacturing establishments, and many and various interests connected with and dependent on them, it is not to be expected that New England, any more than other portions of the country, will now consent to any measure destructive or highly dangerous. The duty of the government, at the present moment, would seem to be to preserve, not to destroy; to maintain the position which it has assumed; and, for one, I shall feel it an indispensable obligation to hold it steady, as far as in my power, to that degree of protection which it has undertaken to bestow. No more of the tariff.

POLITICAL PARTIES.—The gentleman, sir, has spoken at large of former parties, now no longer in being, by their received appellations, and has undertaken to instruct us, not only in the knowledge of their principles, but of their respective pedigrees also. He has ascended to their origin, and run out their genealogies. With most exemplary modesty, he speaks of the party to which he professes to have himself belonged, as the true *Pure, the only honest,* patriotic party, derived by regular descent,

from father to son, from the time of the virtuous Romans! Spreading before us the *family tree* of political parties, he takes especial care to show himself snugly perched on a popular bough! He is wakeful to the expediency of adopting such rules of descent as shall bring him in, to the exclusion of others, as an heir to the inheritance of all public virtue and true political principle. His party and his opinions are sure to be orthodox; heterodoxy is confined to his opponents. He spoke, sir, of the Federalists, and I thought I saw some eyes begin to open and stare a little, when he ventured on that ground. I expected he would draw his sketches rather lightly, when he looked on the circle round him, and especially if he should cast his thoughts to the high places out of the Senate. Nevertheless, he went back to Rome, *ad annum urbis conditæ*, and found the fathers of the Federalists in the primeval aristocrats of that renowned city! He traced the flow of Federal blood down through successive ages and centuries, till he brought it into the veins of the American Tories, of whom, by the way, there were twenty in the Carolinas for one in Massachusetts. From the Tories he followed it to the Federalists; and, as the Federal party was broken up, and there was no possibility of transmitting it further on this side the Atlantic, he seems to have discovered that it has gone off collaterally, though against all the canons of descent, into the Ultras of France, and finally become extinguished, like exploded gas, among the adherents of Don Miguel! This, sir, is an abstract of the gentleman's history of Federalism. I am not about to controvert it. It is not, at present, worth the pains of refutation; because, sir, if at this day any one feels the sin of Federalism lying heavily on his conscience, he can easily procure remission. He may even obtain an indulgence, if he be desirous of repeating the same transgression. It is an affair of no difficulty to get into this same right line of patriotic descent. A man now-a-days is at liberty to choose his political parentage. He may elect his own father. Federalist or not, he may, if he choose, claim to belong to the favored stock, and his claim will be allowed. He may carry back his pretensions just as far as the honorable gentleman himself; nay, he may make himself out the honorable gentleman's cousin, and prove, satisfactorily, that he is descended from the same political great-grandfather. All this is allowable. We all know a process, sir, by which the whole Essex Junto could, in one hour, be all washed white from their ancient Federalism, and come out, every one of them, original Democrats, dyed in the wool! Some of them have actually undergone the operation, and they say it *is quite easy.* The only inconvenience it occasions, as they tell

us, is a slight tendency of the blood to the face, a soft suffusion, which, however, is very transient, since nothing is said by those whom they join calculated to deepen the red on the cheek, but a prudent silence is observed in regard to all the past. Indeed, sir, some smiles of approbation have been bestowed, and some crumbs of comfort have fallen, not a thousand miles from the door of the Hartford Convention itself. And if the author of the Ordinance of 1787 possessed the other requisite qualifications, there is no knowing, notwithstanding his Federalism, to what heights of favor he might not yet attain.

WEBSTER'S PLACE IN SENATE.—I thank God, that, if I am gifted with little of the spirit which is able to raise mortals to the skies, I have yet none, as I trust, of that other spirit, which would drag angels down. When I shall be found, sir, in my place here in the Senate, or elsewhere, to sneer at public merit, because it happens to spring up beyond the little limits of my own State or neighborhood; when I refuse, for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or, if I see an uncommon endowment of Heaven, if I see extraordinary capacity and virtue, in any son of the South, and if moved by local prejudice or gangrened by State jealousy, I get up here to abate the tithe of a hair from his just character and just fame, may my tongue cleave to the roof of my mouth!

MASSACHUSETTS.—Mr. President, I shall enter on no encomium upon Massachusetts; she needs none. There she is. Behold her, and judge for yourselves. There is her history; the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill; and there they will remain forever. The bones of her sons, falling in the great struggle for Independence, now lie mingled with the soil of every State from New England to Georgia; and there they will lie forever. And, sir, where American Liberty raised its first voice, and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood and full of its original spirit. If discord and disunion shall wound it, if party strife and blind ambition shall hawk at and tear it, if folly and madness, if uneasiness under salutary and necessary restraint, shall succeed in separating it from that Union, by which alone its existence is made sure, it will stand, in the end, by the side of that cradle in which its infancy was rocked; it will stretch forth its arm with whatever of vigor it may still retain over the friends who gather round it; and it will fall at last, if fall it must, amidst the proudest monuments of its own glory, and on the very spot of its origin.

LAWS, SUBMISSION TO.—I cannot conceive that there can be a middle course, between submission to the laws, when regularly pronounced constitutional, on the one hand, and open resistance, which is revolution or rebellion, on the other. I say, the right of a State to annul a law of Congress cannot be maintained, but on the ground of the inalienable right of man to resist oppression; that is to say, upon the ground of revolution. I admit that there is an ultimate violent remedy, above the Constitution and in defiance of the Constitution, which may be resorted to when a revolution is to be justified. But I do not admit, that, under the Constitution and in conformity with it, there is any mode in which a State government, as a member of the Union, can interfere and stop the progress of the general government, by force of her own laws, under any circumstances whatever.

This leads us to inquire into the origin of this government and the source of its power. Whose agent is it? Is it the creature of the State legislatures, or the creature of the people? If the government of the United States be the agent of the State governments, then they may control it, provided they can agree in the manner of controlling it; if it be the agent of the people, then the people alone can control it, restrain it, modify, or reform it.

THE UNCONSTITUTIONAL LAW.—An unconstitutional law is not binding; *but then it does not rest with a resolution or a law of a State legislature to decide whether an Act of Congress be or be not constitutional.* An unconstitutional act of Congress would not bind the people of this District, although they have no legislature to interfere in their behalf; and, on the other hand, a constitutional law of Congress does bind the citizens of every State, although all their legislatures should undertake to annul it by act or resolution.

THE EMBARGO LAW.—Sir, we believed the embargo unconstitutional; but still that was matter of opinion, and who was to decide it? We thought it a clear case; but, nevertheless, we did not take the law into our own hands, because we did not wish to bring about a revolution, nor to break up the Union; for I maintain, that between submission to the decision of the constituted tribunals, and revolution, or disunion, there is no middle ground; there is no ambiguous condition, half allegiance and half rebellion. And, sir, how futile, how very futile it is, to admit the right of State interference, and then attempt to save it from the character of unlawful resistance, by adding terms of qualification to the causes and occasions, leaving all these *qualifications,* like the cause itself, in the discretion of the State *governments.* It must be a clear case, it is said, a deliberate

case, a palpable case, a dangerous case. But then the State is still left at liberty to decide for herself what is clear, what is deliberate, what is palpable, what is dangerous. Do adjectives and epithets avail anything? Sir, the human mind is so constituted, that the merits of both sides of a controversy appear very clear, and very palpable, to those who respectively espouse them; and both sides usually grow clearer as the controversy advances.

GOVERNMENT, OF LIMITED POWERS.—To avoid all possibility of being misunderstood, allow me to repeat again, in the fullest manner, that I claim no powers for the government by forced or unfair construction. I admit that it is a government of strictly limited powers; of enumerated, specified, and particularized powers; and that whatsoever is not granted, is withheld. But notwithstanding all this, and however the grant of powers may be expressed, its limit and extent may yet, in some cases, admit of doubt; and the general government would be good for nothing, it would be incapable of long existing, if some mode had not been provided in which those doubts, as they should arise, might be peaceably, but authoritatively, solved.

THE NATIONAL CONSTITUTION.—If anything be found in the national Constitution, either by original provision or subsequent interpretation, which ought not to be in it, the people know how to get rid of it. If any construction, unacceptable to them, be established, so as to become practically a part of the Constitution, they will amend it, at their own sovereign pleasure. But while the people choose to maintain it as it is, while they are satisfied with it, and refuse to change it, who has given, or who can give, to the State legislatures a right to alter it, either by interference, construction, or otherwise? Gentlemen do not seem to recollect that the people have any power to do anything for themselves. They imagine there is no safety for them, any longer than they are under the close guardianship of the State legislatures. Sir, the people have not trusted their safety, in regard to the general Constitution, to these hands. They have required other security, and taken other bonds. They have chosen to trust themselves, first to the plain words of the instrument, and to such construction as the government themselves, in doubtful cases, should put on their own powers, under their oaths of office, and subject to their responsibility to them; just as the people of a State trust their own State governments with a similar power. Secondly, they have reposed their trust in the efficacy of frequent elections, and in their own power to remove their own servants and agents whenever they see cause. Thirdly, *they have reposed* trust in the judicial power, which, in order

that it might be trustworthy, they have made as respectable, as disinterested, and as independent as was practicable. Fourthly, they have seen fit to rely, in case of necessity, or high expediency, on their known and admitted power to alter or amend the Constitution, peaceably, quietly, whenever experience shall point out defects or imperfections. And, finally, the people of the United States have at no time, in no way, directly or undirectly, authorized any State legislature to construe or interpret *their* high instrument of government; much less, to interfere, by their own power, to arrest its course and operation.

LIBERTY AND UNION.—I profess, sir, in my career hitherto, to have kept steadily in view the prosperity and honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home, and our consideration and dignity abroad. It is to that Union that we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce, and ruined credit. Under its benign influences, these great interests immediately awoke, as from the dead, and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and although our territory has stretched out wider and wider, and our population spread farther, and farther, they have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social, and personal happiness.

I have not allowed myself, sir, to look beyond the Union, to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion, to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counsellor in the affairs of this government, whose thoughts should be mainly bent on considering, not how the Union may be best preserved, but how tolerable might be the condition of the people when it should be broken up and destroyed. While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that I seek not to penetrate the veil. God grant that in my day, at least, that curtain may not rise! God grant that on my vision never may be opened what lies behind! When my eyes shall be turned to behold for the last time the sun in heaven, may I not see him *shining on the* broken and dishonored fragments of a once glo-

rious Union ; on States dissevered, discordant, belligerent ; on a land rent with civil feuds, or drenched, it may be, in fraternal blood ! Let their last feeble and lingering glance rather behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured, bearing for its motto, no such miserable interrogatory as "What is all this worth?" nor those other words of delusion and folly, "Liberty first and Union afterwards" ; but everywhere, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart,—Liberty *and* Union, now and forever, one and inseparable !

THE NOMINATION OF MR. VAN BUREN AS MINISTER TO ENGLAND.

[*Remarks in Secret Session of U. S. Senate, Jan.* 24, 1832.]

SIR, I would forgive mistakes ; I would pardon the want of information ; I would pardon almost anything, where I saw true patriotism and sound American feeling ; but I cannot forgive the sacrifice of this feeling to mere party. I cannot concur in sending abroad a public agent, who has not conceptions so large and liberal as to feel, that, in the presence of foreign courts, amidst the monarchies of Europe, he is to stand up for his country, and his whole country ; that no jot nor tittle of her honor is to suffer in his hands ; that he is not to allow others to reproach either his government or his country, and far less is he himself to reproach either ; that he is to have no objects in his eye but American objects, and no heart in his bosom but an American heart ; and that he is to forget self, and forget party, to forget every sinister and narrow feeling, in his proud and lofty attachment to the republic whose commission he bears.

Mr. President, I have discharged an exceedingly unpleasant duty, the most unpleasant of my public life. But I have looked upon it *as a duty*, and it was not to be shunned. And, Sir, however unimportant may be the opinion of so humble an individual as myself, I now only wish that I might be heard by every *independent* freeman in the United States, by the British

minister and the British king, and by every minister and every crowned head in Europe, while, standing here in my place, I pronounce my rebuke, as solemnly and as decisively as I can, upon this first instance in which an American minister has been sent abroad as the representative of his party, and not as the representative of his country.

APPORTIONMENT OF REPRESENTATION.

[*U. S. Senate, April* 5, 1832.]

To *apportion* is to distribute by right measure, to set off in just parts, to assign in due and proper proportion. These clauses of the Constitution respect not only the portions of power, but the portions of the public burden, also, which should fall to the several States; and the same language is applied to both. Representatives are to be apportioned among the States according to their respective numbers, and direct taxes are to be apportioned by the same rule. The end aimed at is, that representation and taxation should go hand in hand; that each State should be represented in the same extent to which it is made subject to the public charges by direct taxation. But between the apportionment of Representatives and the apportionment of taxes, there necessarily exists one essential difference. Representation founded on numbers must have some limit, and being, from its nature, a thing not capable of indefinite subdivision, it cannot be made precisely equal. A tax, indeed, cannot always, or often, be apportioned with perfect exactness; as in other matters of account, there will be fractional parts of the smallest coins, and the smallest denomination of money of account; yet, by the usual subdivisions of the coin, and of the denominations of money, the apportionment of taxes is capable of being made so exact, that the inequality becomes minute and invisible. But representation cannot be thus divided. Of representation, there can be nothing less than one Representative; nor, by our Constitution, more Representatives than one for every thirty thousand. It is quite obvious, therefore, that the apportionment of representative power can never be precise and perfect. There must always exist some degree of inequality. Those who framed and those who adopted the Constitution were, of course, fully acquainted with this necessary operation of the provision. In the Senate, the States are entitled to a fixed number of Senators; and therefore, in regard to their representation in that

body, there is no consequential or incidental inequality. But, being represented in the House of Representatives according to their respective numbers of people, it is unavoidable that, in assigning to each State its number of members, the exact proportion of each, out of a given number, cannot always or often be expressed in whole numbers; that is to say, it will not often be found that there belongs to a State exactly one tenth, or one twentieth, or one thirtieth of the whole House; and therefore no number of Representatives will exactly correspond with the right of such State, or the precise share of representation which belongs to it, according to its population.

The Constitution, therefore, must be understood, not as enjoining an absolute relative equality, because that would be demanding an impossibility, but as requiring of Congress to make the apportionment of Representatives among the several States according to their respective numbers, *as near as may be.* That which cannot be done perfectly must be done in a manner as near perfection as can be. If exactness cannot, from the nature of things, be attained, then the nearest practicable approach to exactness ought to be made.

RULE OF APPORTIONMENT IN REPRESENTATION.—President Washington's words are: "There is no one proportion or divisor, which, applied to the respective numbers of the States, will yield the number and allotment of Representatives proposed by the bill."

If, then, he could have found a common proportion, it would have removed this objection. He required a proportion or divisor. These words he evidently uses as explanatory of each other. He meant by *divisor*, therefore, no more than by *proportion.* What he sought was some common and equal rule, by which the allotment had been made among the several States; he did not find such common rule; and, on that ground, he thought the bill objectionable.

In the opinion of the committee, no such objection applies to the amendment recommended by them. That amendment gives a rule, plain, simple, just, uniform, and of universal application. The rule has been frequently stated. It may be clearly expressed in either of two ways. Let the rule be, that *the whole number of the proposed House shall be apportioned among the several States according to their respective numbers, giving to each State that number of members which comes nearest to her exact mathematical part or proportion;* or let the rule be, that *the population of each State shall be divided by a common divisor, and, in addition to the number of members resulting from such division, a member shall be allowed to each State whose fraction exceeds a moiety of the divisor,*

BANK OF THE UNITED STATES.

[*U. S. Senate, May* 25, 1832.]

CURRENCY OF THE COUNTRY.—First, as to the currency of the country. This is, at all times, a most important political object. A sound currency is an essential and indispensable security for the fruits of industry and honest enterprise. Every man of property or industry, every man who desires to preserve what he honestly possesses, or to obtain what he can honestly earn, has a direct interest in maintaining a safe circulating medium ; such a medium as shall be a real and substantial representative of property, not liable to vibrate with opinions, not subject to be blown up or blown down by the breath of speculation, but made stable and secure by its immediate relation to that which the whole world regards as of a permanent value. A disordered currency is one of the greatest of political evils. It undermines the virtues necessary for the support of the social system, and encourages propensities destructive of its happiness. It wars against industry, frugality, and economy; and it fosters the evil spirits of extravagance and speculation. Of all the contrivances for cheating the laboring classes of mankind, none has been more effectual than that which deludes them with paper money. This is the most effectual of inventions to fertilize the rich man's field by the sweat of the poor man's brow. Ordinary tyranny, oppression, excessive taxation, these bear lightly on the happiness of the mass of the community, compared with a fraudulent currency, and the robberies committed by depreciated paper. Our own history has recorded for our instruction enough, and more than enough, of the demoralizing tendency, the injustice, and the intolerable oppression on the virtuous and well disposed, of a degraded paper currency, authorized by law, or in any way countenanced by government.

A NATIONAL BANK.—I am of opinion, sir, that a well-conducted national bank has an exceedingly useful and effective operation on the general paper circulation of the country. I think its tendency is manifestly to restrain within some bounds the paper issues of other institutions. If it be said, on the other hand, that these institutions, in turn, hold in check the issues of the national bank, so much the better. Let that check go to its full extent. An over-issue, even by the bank itself, no one can desire. But it is plain, that, by holding State institutions which *come into* immediate contact with itself and its branches to an

accountability for their issues, not yearly or quarterly, but daily and hourly, an important restraint is exercised. Be it remembered always, that what it is to expect from others, it is to perform itself; and that its own paper is at all times to turn into coin at the first touch of its own counter.

BANK, ADVANTAGE IN OPERATIONS OF THE TREASURY.—The great advantage of the bank in the operations of the Treasury; first in the collection, and next, in the disbursement of the revenue. How is the revenue to be collected through all the custom houses, the land offices, and the post offices, without some such means as the bank affords?

Where are payments made at the custom-houses to be deposited? In whose hands are these large sums to be trusted? And how are they to be remitted to Washington, or wherever else they may be wanted? I dare say, sir, that the operations of the government might be carried on in some way without the agency of a bank; but the question is, whether they could be carried on safely, without loss and without charge.

THE CONSTITUTION NOT A COMPACT BETWEEN SOVEREIGN STATES.

[U. S. Senate, Feb. 16, 1833.—In reply to Mr. Calhoun's speech on the Bill "further to provide for the collection of Duties on Imports."]

AMERICAN LIBERTY, DEFENCE OF.—Sir, I love Liberty no less ardently than the gentleman himself, in whatever form she may have appeared in the progress of human history. As exhibited in the master states of antiquity, as breaking out again from amidst the darkness of the Middle Ages, and beaming on the formation of new communities in modern Europe, she has, always and everywhere, charms for me. Yet, sir, it is our own liberty, guarded by constitutions and secured by union, it is that liberty which is our paternal inheritance, it is our established, dear-bought, peculiar American liberty, to which I am chiefly devoted, and the cause of which I now mean, to the utmost of my power, to maintain and defend.

THE CONSTITUTION, DEFINITION OF.—By the Constitution, we mean, not a "constitutional compact," but, simply and directly, the Constitution, the fundamental law; and if there be one word in the language which the people of the United States understand, this is that word. We know no more of a constitutional compact between sovereign powers, than we know of a constitu-

tional indenture of copartnership, a *constitutional* deed of conveyance, or a *constitutional* bill of exchange. But we know what the *Constitution* is; we know what the plainly written, fundamental law is; we know what the bond of our Union and the security of our liberties is; and we mean to maintain and to defend it, in its plain sense and unsophisticated meaning.

WORDS, THINGS.—Was it Mirabeau, Mr. President, or some other master of the human passions, who has told us that words are things? They are indeed things, and things of mighty influence, not only in addresses to the passions and high-wrought feelings of mankind, but in the discussion of legal and political questions also; because a just conclusion is often avoided, or a false one reached, by the adroit substitution of one phrase, or one word, for another. Of this we have, I think, another example in the resolutions before us.

STATE MUST PROVE RIGHT TO SECEDE.—Any State, before she can prove her right to dissolve the Union, must show her authority to undo what has been done; no State is at liberty to *secede*, on the ground that she and other States have done nothing but *accede*. She must show that she has a right to *reverse* what has been *ordained*, to *unsettle* and *overthrow* what has been *established*, to *reject* what the people have *adopted*, and to *break up* what they have *ratified*; because these are the terms which express the transactions which have actually taken place. In other words, she must show her right to make a revolution.

LEAGUE BETWEEN SOVEREIGN POWERS.—If a league between sovereign powers have no limitation as to the time of its duration, and contain nothing making it perpetual, it subsists only during the good pleasure of the parties, although no violation be complained of. If, in the opinion of either party, it be violated, such party may say that he will no longer fulfil its obligations on his part, but will consider the whole league or compact at an end, although it might be one of its stipulations that it should be perpetual. Upon this principle, the Congress of the United States, in 1798, declared null and void the treaty of alliance between the United States and France, though it professed to be a perpetual alliance.

If the violation of the league be accompanied with serious injuries, the suffering party, being sole judge of his own mode and measure of redress, has a right to indemnify himself by reprisals on the offending members of the league; and reprisals, if the circumstances of the case require it, may be followed by direct, avowed, and public war.

REVOLUTION, WHAT IS IT?—The Constitution does not provide *for events* which must be preceded by its own destruction.

SECESSION, therefore, since it must bring these consequences with it, is REVOLUTIONARY, and NULLIFICATION is equally REVOLUTIONARY. What is revolution? Why, sir, that is revolution which overturns, or controls, or successfully resists, the existing public authority; that which arrests the exercise of the supreme power; that which introduces a new paramount authority into the rule of the State. Now, sir, this is the precise object of nullification. It attempts to supersede the supreme legislative authority. It arrests the arm of the executive magistrate. It interrupts the exercise of the accustomed judicial power. Under the name of an ordinance, it declares null and void, within the State, all the revenue laws of the United States. Is not this revolutionary?

NULLIFICATION.—Nullification, if successful, arrests the power of the law, absolves citizens from their duty, subverts the foundation both of protection and obedience, dispenses with oaths and obligations of allegiance, and elevates another authority to supreme command. Is not this revolution? And it raises to supreme command four-and-twenty distinct powers, each professing to be under a general government, and yet each setting its laws at defiance at pleasure. Is not this anarchy, as well as revolution? Sir, the Constitution of the United States was received as a whole, and for the whole country. If it cannot stand altogether, it cannot stand in parts; and if the laws cannot be executed everywhere, they cannot long be executed anywhere.

PRACTICAL NULLIFICATION.—Beginning with the original error, that the Constitution of the United States is nothing but a compact between sovereign States; asserting, in the next step, that each State has a right to be its own sole judge of the extent of its own obligations and consequently of the constitutionality of laws of Congress; and in the next, that it may oppose whatever it sees fit to declare unconstitutional, and that it decides for itself on the mode and measure of redress,—the argument arrives at once at the conclusion, that what a State dissents from, it may nullify; what it opposes, it may oppose by force; what it decides for itself, it may execute by its own power; and that, in short, it is itself supreme over the legislation of Congress, and supreme over the decisions of the national judicature; supreme over the constitution of the country, supreme over the supreme law of the land. However it seeks to protect itself against these plain inferences, by saying that an unconstitutional law is no law, and that it only opposes such laws as are unconstitutional, yet this does not in the slightest degree vary the result; since it insists on deciding this question for itself; and, in opposition to reason and argument, *in opposition* to practice and experience, in opposition to

the judgment of others, having an equal right to judge, it says, only, "Such is my opinion, and my opinion shall be my law, and I will support it by my own strong hand. I denounce the law; I declare it unconstitutional; that is enough; it shall not be executed. Men in arms are ready to resist its execution. An attempt to enforce it shall cover the land with blood. Elsewhere it may be binding; but here it is trampled under foot."

This, sir, is practical nullification. And now, sir, against all these theories and opinions, I maintain,—

1. That the Constitution of the United States is not a league, confederacy, or compact between the people of the several States in their sovereign capacities; but a government proper, founded on the adoption of the people, and creating direct relations between itself and individuals.

2. That no State authority has power to dissolve these relations; that nothing can dissolve them but revolution; and that, consequently, there can be no such thing as secession without revolution.

3. That there is a supreme law, consisting of the Constitution of the United States, and acts of Congress passed in pursuance of it, and treaties; and that, in cases not capable of assuming the character of a suit in law or equity, Congress must judge of, and finally interpret, this supreme law so often as it has occasion to pass acts of legislation; and in cases capable of assuming, and actually assuming, the character of a suit, the Supreme Court of the United States is the final interpreter.

4. That an attempt by a State to abrogate, annul, or nullify an act of Congress, or to arrest its operation within her limits, on the ground that, in her opinion, such law is unconstitutional, is a direct usurpation of the just powers of the general government, and on the equal rights of other States; a plain violation of the Constitution, and a proceeding essentially revolutionary in its character and tendency.

GOVERNMENT, ITS POWER AND DUTY.—The Constitution of the United States creates direct relations between this government and individuals. This government may punish individuals for treason, and all other crimes in the code, when committed against the United States. It has power, also, to tax individuals, in any mode, and to any extent; and it possesses the further power of demanding from individuals military service. Nothing, certainly, can more clearly distinguish a government from a confederation of states than the possession of these powers. No closer relations can exist between individuals and any government.

On the other hand, the government owes high and solemn duties to every citizen of the country. It is bound to protect him in his most important rights and interests. It makes war for his protection, and no other government in the country can make war. It makes peace for his protection, and no other government can make peace. It maintains armies and navies for his defence and security, and no other government is allowed to maintain them. He goes abroad beneath its flag, and carries over all the earth a national character imparted to him by this government, and which no other government can impart. In whatever relates to war, to peace, to commerce, he knows no other government. All these, sir, are connections as dear and as sacred as can bind individuals to any government on earth. It is not, therefore, a compact between States, but a government proper, operating directly upon individuals, yielding to them protection on the one hand, and demanding from them obedience on the other.

THE FABRIC OF AMERICAN EMPIRE.—The fabric of American empire ought to rest on the solid basis of THE CONSENT OF THE PEOPLE.

A SUPREME LAW OF THE LAND.—I contend that there is a supreme law of the land, consisting of the Constitution, acts of Congress passed in pursuance of it, and the public treaties. This will not be denied, because such are the very words of the Constitution. But I contend, further, that it rightfully belongs to Congress, and to the courts of the United States, to settle the construction of this supreme law, in doubtful cases. This is denied; and here arises the great practical question, *Who is to construe finally the Constitution of the United States?* We all agree that the Constitution is the supreme law; but who shall interpret that law? In our system of the division of powers between different governments, controversies will necessarily sometimes arise, respecting the extent of the powers of each. Who shall decide these controversies? Does it rest with the general government, in all or any of its departments, to exercise the office of final interpreter? Or may each of the States, as well as the general government, claim this right of ultimate decision? If the Constitution is a government existing over all the States, though with limited powers, it necessarily follows that, to the extent of those powers, it must be supreme. If it be not superior to the authority of a particular State, it is not a national government. But as it is a government, as it has a legislative power of its own, and a judicial power coextensive with the legislative, the inference is irresistible that this government, thus created *by* the whole *and for* the whole, must have an authority superior

to that of the particular government of any one part. Congress is the legislature of all the people of the United States; the judiciary of the general government is the judiciary of all the people of the United States. To hold, therefore, that this legislature and this judiciary are subordinate in authority to the legislature and judiciary of a single State, is doing violence to all common sense, and overturning all established principles. Congress must judge of the extent of its own powers so often as it is called on to exercise them, or it cannot act at all; and it must also act independent of State control, or it cannot act at all.

POPULAR GOVERNMENTS.—Mr. President, all popular governments rest on two principles, or two assumptions:—

First, That there is so far a common interest among those over whom the government extends, as that it may provide for the defence, protection, and good government of the whole, without injustice or oppression to parts; and

Secondly, That the representatives of the people, and especially the people themselves, are secure against general corruption, and may be trusted, therefore, with the exercise of power.

DEFENCE OF THE CONSTITUTION.—If the friends of nullification should be able to propagate their opinions, and give them practical effect, they would, in my judgment, prove themselves the most skilful architects of ruin, the most effectual extinguishers of high-raised expectation, the greatest blasters of human hopes, that any age has produced. They would stand up to proclaim, in tones which would pierce the ears of half of the human race, that the last great experiment of representative government had failed. They would send forth sounds, at the hearing of which the doctrine of the divine right of kings would feel, even in its grave, a returning sensation of vitality and resuscitation. Millions of eyes, of those who now feed their inherent love of liberty on the success of the American example, would turn away from beholding our dismemberment, and find no place on earth whereon to rest their gratified sight. Amidst the incantations and orgies of nullification, secession, disunion, and revolution, would be celebrated the funeral rites of constitutional and republican liberty.

But, sir, if the government do its duty, if it act with firmness and with moderation, these opinions cannot prevail. Be assured, sir, be assured, that among the political sentiments of this people, the love of union is still uppermost. They will stand fast by the Constitution, and by those who defend it. I *rely on no tem*porary expedients, on no political combination;

but I rely on the true American feeling, the genuine patriotism of the people, and the imperative decision of the public voice. Disorder and confusion, indeed, may arise; scenes of commotion and contest are threatened, and perhaps may come. With my whole heart, I pray for the continuance of the domestic peace and quiet of the country. I desire, most ardently, the restoration of affection and harmony to all its parts. I desire that every citizen of the whole country may look to this government with no other sentiments than those of grateful respect and attachment. But I cannot yield even to kind feelings the cause of the Constitution, the true glory of the country, and the great trust which we hold in our hands for succeeding ages. If the Constitution cannot be maintained without meeting these scenes of commotion and contest, however unwelcome, they must come. We cannot, we must not, we dare not, omit to do that which, in our judgment, the safety of the Union requires. Not regardless of consequences, we must yet meet consequences; seeing the hazards which surround the discharge of public duty, it must yet be discharged. For myself, sir, I shun no responsibility justly devolving on me, here or elsewhere, in attempting to maintain the cause. I am bound to it by indissoluble ties of affection and duty, and I shall cheerfully partake in its fortunes and its fate. I am ready to perform my own appropriate part, whenever and wherever the occasion may call on me, and to take my chance among those upon whom blows may fall first and fall thickest. I shall exert every faculty I possess in aiding to prevent the Constitution from being nullified, destroyed, or impaired; and even should I see it fall, I will still, with a voice feeble, perhaps, but earnest as ever issued from human lips, and with fidelity and zeal which nothing shall extinguish, call on the PEOPLE to come to its rescue.

THE REMOVAL OF THE DEPOSITS.

[U. S. Senate, in the course of the session 1833-34.]

NATURAL HATRED OF THE POOR TO THE RICH.—Sir, I see, in those vehicles which carry to the people sentiments from high places, plain declarations that the present controversy is but a strife between one part of the community and another. I hear it boasted as the unfailing security, the solid ground, never to be shaken, on which recent measures rest that, *the poor naturally hate the rich.* I know that, under the cover of the roofs of the

Capitol, within the last twenty-four hours, among men sent here to devise means for the public safety and the public good, it has been vaunted forth, as matter of boast and triumph, that one cause existed powerful enough to support everything and to defend everything; and that was, *the natural hatred of the poor to the rich.*

Sir, I pronounce the author of such sentiments to be guilty of attempting a detestable fraud on the community; a double fraud; a fraud which is to cheat men out of their property and out of the earnings of their labor, by first cheating them out of their understandings.

"The natural hatred of the poor to the rich!" Sir, it shall not be till the last moment of my existence,—it shall be only when I am drawn to the verge of oblivion, when I shall cease to have respect or affection for anything on earth,—that I will believe the people of the United States capable of being effectually deluded, cajoled, and *driven about in herds*, by such abominable frauds as this. If they shall sink to that point, if they so far cease to be men, thinking men, intelligent men, as to yield to such pretences and such clamor, they will be slaves already; slaves to their own passions, slaves to the fraud and knavery of pretended friends. They will deserve to be blotted out of all the records of freedom; they ought not to dishonor the cause of self-government, by attempting any longer to exercise it; they ought to keep their unworthy hands entirely off from the cause of republican liberty, if they are capable of being the victims of artifices so shallow, of tricks so stale, so threadbare, so often practiced, so much worn out, on serfs and slaves.

"The natural hatred of the poor against the rich!" "The danger of a moneyed aristocracy!" "A power as great and dangerous as that resisted by the Revolution!" "A call to a new declaration of independence!" Sir, I admonish the people against the object of outcries like these. I admonish every industrious laborer in the country to be on his guard against such delusion. I tell him the attempt is to play off his passions against his interests, and to prevail on him, in the name of liberty, to destroy all the fruits of liberty; in the name of patriotism, to injure and afflict his country; and in the name of his own independence, to destroy that very independence, and make him a beggar and a slave. Has he a dollar? He is advised to do that which will destroy half its value. Has he hands to labor? Let him rather fold them and sit still, than be pushed on, by fraud and artifice, to support measures which will render his labor useless and hopeless.

Sir, the very man, of all others, who has the deepest interest

in a sound currency, and who suffers most by mischievous legislation in money matters, is the man who earns his daily bread by his daily toil. A depreciated currency, sudden changes of prices, paper money, falling between morning and noon, and falling still lower between noon and night,—these things constitute the very harvest-time of speculators, and of the whole race of those who are at once idle and crafty; and of that other race too, the Catilines of all times, marked, so as to be known forever by one stroke of the historian's pen, *those greedy of other men's property and prodigal of their own.* Capitalists, too, may outlive such times. They may either prey on the earnings of labor, by their *cent. per cent.*, or they may hoard. But the laboring man, what can he hoard? Preying on nobody, he becomes the prey of all. His property is in his hands. His reliance, his fund, his productive freehold, his all, is his labor. Whether he work on his own small capital, or another's, his living is still earned by his industry; and when the money of the country becomes depreciated and debased, whether it be adulterated coin or paper without credit, that industry is robbed of its reward. He then labors for a country whose laws cheat him out of his bread. I would say to every owner of every quarter-section of land in the West, I would say to every man in the East who follows his own plough, and to every mechanic, artisan, and laborer in every city in the country,—I would say to every man, everywhere, who wishes by honest means to gain an honest living, "Beware of wolves in sheep's clothing. Whoever attempts under whatever popular cry, to shake the stability of the public currency, bring on distress in money matters, and drive the country into the use of paper money, stabs your interest."

LABOR, THE PRODUCING CAUSE.—Sir, the great interest of this great country, the producing cause of all its prosperity, is labor! labor! labor! We are a laboring community. A vast majority of us all live by industry and actual employment in some of their forms. The Constitution was made to protect this industry, to give it both encouragement and security; but, above all, security. To that very end, with that precise object in view, power was given to Congress over the currency, and over the money system of the country. In forty years' experience, we have found nothing at all adequate to the beneficial execution of this trust but a well-conducted national bank. That has been tried, returned to, tried again, and always found successful. If it be not the proper thing for us, let it be soberly argued against; let something better be proposed; let the country examine the matter coolly, and decide for itself. But whoever shall attempt to carry a question of this kind by clamor, and violence, and preju-

dice; whoever would rouse the people by appeals, false and fraudulent appeals, to their love of independence, to resist the establishment of a useful institution, because it is a bank, and deals in money, and who artfully urges these appeals wherever he thinks there is more of honest feeling than of enlightened judgment,—means nothing but deception. And whoever has the wickedness to conceive, and the hardihood to avow, a purpose to break down what has been found, in forty years' experience, essential to the protection of all interests, by arraying one class against another, and by acting on such a principle as *that the poor always hate the rich*, shows himself the reckless enemy of all. An enemy to his whole country, to all classes, and to every man in it, he deserves to be marked especially *as the poor man's curse!*

ONE'S OWN OPINION.—It does not become any man, in a government like this, to stand proudly on his own opinion, against the whole country.

INTERFERENCE OF SEC. OF TREASURY WITH PUBLIC MONEYS.—The honorable gentleman quotes me, Mr. President, as having said, on a former occasion, that, if Congress shall refuse to recharter the bank, the country will yet live through the difficulty. Why, certainly, sir, I trust it will live through it. I believe the country capable of self-government, and that they will remedy not only such evils as they cannot live through, but other evils also, which they could live through, and which they would bear, if necessary, but which, nevertheless, being great evils, and wholly unnecessary, they are not disposed to endure. Is the gentleman entirely satisfied, if he can only persuade himself that the country can live under the evils inflicted on it by these measures of the executive government? Sir, I doubt not the people will live through their difficulties; and one way of living through them is to put a speedy close to them. The people have only to will it, and all their present sufferings are at an end. These sufferings flow from no natural cause. They come not from famine or pestilence, nor from invasion or war, nor from any external public calamity. They spring directly and exclusively from the unwise and unjustifiable interference of the Secretary of the Treasury with the public moneys. By this single act, he has disordered the revenue, deranged the currency, broken up commercial confidence, created already a thousand bankruptcies, and brought the whole business of the country into a state of confusion and dismay. This is a political evil, and a political evil only. It arises from mismanagement entirely and exclusively. This mismanagement, this sole cause of the whole distress, *the people* can correct. They have but to speak the word,

and it is done. They have but to say so, and the public treasure will return to its proper place, and the public prosperity resume its accustomed course.

They have but to utter this supreme command, these words of high behest; they have but to give to the public voice that imperative unity which all must hear, and all must obey; and the reign of misrule and the prevalence of disaster will expire together. Public sufferings will then be removed by removing their cause. Political mischiefs will be repaired by political redress. That which has been unwisely done will be wisely undone; and this is the way, sir, in which an enlightened and independent people *live through their difficulties.* And, sir, I look to no other source for relief; but I look confidently to this. I dare not, indeed, under present appearances, predict an immediate termination of present trouble; that would be rash. It may take time for the people to understand one another in different parts of the country, and to unite in their objects and in their means. Circumstances may delay this union of purpose and union of effort. I know there are powerful causes, now in full activity, which may not only prolong, but increase, the commotion of the political elements. I see indications that a storm is on the wing. I am not ignorant of the probable approach of a crisis in which contending parties, and contending passions, are to be intensely excited; in which the great interests of the country are all to be deeply convulsed; and which, in its consequences, may even touch the action of the government itself. In preparing to meet such a crisis, should it come, I found myself on those great truths which our own experience and the experience of all other nations have established. I yield to no new-fangled theories, to no wild and rash experiments. I stand, too, upon those high duties which the Constitution of the country has devolved upon us; and thus holding on, and holding fast, by acknowledged truth and manifest duty, I shall take events as they come; and although these black and portentous clouds may break on our heads, and the tempest overpower us for a while, still that can never be forever overwhelmed, that can never go finally to the bottom, which truth and duty bear up.

AMERICAN PEOPLE SO WELL SCHOOLED.—Sir, the American people are so well schooled in the great doctrines of free government, that they are competent to teach first principles, even to their rulers, if unhappily such teaching should become necessary. They will teach them that public complaint for maladministration of government is not clamor; that indignation for unnecessary and severe national suffering is not treason, either legal or moral; that to resist the encroachments of power is not

to cabal against government; and that the people themselves are not a faction.

CONFIDENCE.—Confidence is a thing not to be produced by compulsion. Men cannot be forced into trust.

THE CONTINUANCE OF THE BANK CHARTER.

[*U. S. Senate, March* 18, 1834.]

COMMERCIAL CREDIT.—It is very true that commercial credit, and the system of banking, as a part of it, furnish a substitute for capital. It is very true that this system enables men to do business, to some extent, on borrowed capital; and those who wish to ruin all who make use of borrowed capital act wisely to that end by decrying it.

This commercial credit, sir, depends on wise laws, steadily, administered. Indeed, the best governed countries are always the richest. With good political systems, natural disadvantages and the competition of all the world may be defied. Without such systems, climate, soil, position, and everything else may favor the progress of wealth, and yet nations be poor.

THE HISTORY OF BANKS.—The history of banks belongs to the history of commerce and the general history of liberty. It belongs to the history of those causes which, in a long course of years, raised the middle and lower orders of society to a state of intelligence and property, in spite of the iron sway of the feudal system. In what instance have they endangered liberty or overcome the laws? Their very existence, on the contrary, depends on the security and the rule both of liberty and law. Why, sir, have we not been taught, in our earliest reading, that to the birth of a commercial spirit, to associations for trade, to the guilds and companies formed in the towns, we are to look for the first emergence of liberty from the darkness of the Middle Ages; for the first blush of that morning, which has grown brighter and brighter till the perfect day has come? And it is just as reasonable to say that bills of exchange are dangerous to liberty, that promissory notes are dangerous to liberty, that the power of regulating the coin is dangerous to liberty, as that credit, and banking, as a part of credit, are dangerous to liberty.

THE BANK AS RELATED TO THE POOR.—It is felt, by every one, that this is a case in which the acts of the government come *directly home* to him, and produce either good or evil, every

hour, upon his personal and private condition. And how is the public expectation met? How is this intense, this agonized expectation answered? I am grieved to say, I am ashamed to say, it is answered by declamation against the bank as a monster, by loud cries against a moneyed aristocracy, by pretended zeal for a hard-money system, and by professions of favor and regard to the poor.

The poor! We are waging war for the benefit of the poor! We slay that monster, the bank, that we may defeat the unjust purposes of the rich, and elevate and protect the poor! And what is the effect of all this? What happens to the poor, and all the middling classes, in consequence of this warfare? Where are they? Are they well fed, well clothed, well employed, independent, happy, and grateful? They are all at the feet of the capitalists; they are in the jaws of usury. They are at the mercy of those who, if there be hearts of stone in human bosoms, have such hearts in their breasts. Look to the rates of interest, mounting to twenty, thirty, fifty per cent. Sir, this measure of government has transferred millions upon millions of hard-earned property, in the form of extra interests, from the industrious classes to the capitalists, from the poor to the rich. And this is called putting down a moneyed aristocracy! Sir, there are thousands of families who have diminished, not their luxuries, not their amusements, but their meat and their bread, that they might be able to save their credit by paying enormous interest. And there are other thousands, who, having lost their employment, have lost everything, and who yet hear, amidst the bitterness of their anguish, that the great motive of government is kindness to the poor!

It is difficult, sir, to restrain one's indignation, when to so much keen distress there is added so much which has the appearance of mere mockery. Sir, let the system of the administration go on, and we shall soon not know our country. We shall see a new America. On the map, where these United States have stood, we shall behold a country that will be strange to us. We shall see a class of idle rich, and a class of idle poor; the former a handful, the latter a host. We shall no longer behold a community of men, with spirits all active and stirring, contributing, all of them, to the public welfare, while they partake in it, pushing on their fortunes, and bettering their own condition, and helping to swell, at the same time, the cup of the general prosperity to overflowing. We shall see no more of that credit which reaches out its hand to honest enterprise; of that certainty of reward, which cheers on labor to the utmost stretch of its sinews; of that personal and individual independence,

which enables every man to say that no man is his master. Sir, I will not look on the picture. I will not imagine what spectacle will be exhibited, when this country not only halts in her onward march, but recedes ; when she tracks back in the long and rapid strides of her forward movement; when she sets herself to undo all that she has done ; when she renounces the good she has attained ; when she obstructs credit, destroys enterprise, arrests commerce, and crushes manufactures.

PUBLIC CONCERNS, PATRIOTIC ATTENTION TO.—Nothing will ruin the country, if the people themselves will undertake its safety ; and nothing can save it, if *they* leave that safety in any hands but their own.

Would to God, sir, that I could draw around me all these twelve millions of people ! Would to God that I could speak audibly to every independent elector in the whole land ! I would not say to them, vainly and arrogantly, that their safety and happiness require the adoption of any measure recommended by me. But I would say to them, with the sincerest conviction that ever animated man's heart, that their safety and happiness *do* require their own prompt and patriotic attention to the public concerns, their own honest devotion to the welfare of the state. I would say to them, that neither this measure, nor any measure, can be adopted, except by the cogent and persisting action of popular opinion. I would say to them, that the public revenues cannot be restored to their accustomed custody, that they cannot be again placed under the control of Congress, that the violation of law cannot be redressed, but by manifestations, not to be mistaken, of public sentiment. I would say to them, that the Constitution and the laws, their own rights and their own happiness, all depend on themselves ; and if they esteem these of any value, if they were not too dearly bought by the blood of their fathers, if they be an inheritance fit to be transmitted to their posterity, I would beseech them, I would beseech them, to come now to their salvation.

THE PRESIDENTIAL PROTEST.

[On the 28th of March, 1834, the Senate adopted a resolution declaring that "in the late executive proceedings in relation to the public revenue, the President had assumed a power not conferred by the Constitution and laws, but in derogation of both." On the 17th of April, a Protest against this resolution was sent to the Senate by the President of the United States, with a request that it should "be entered at length on the journals of the Senate."]

FREE GOVERNMENTS.—The necessity of holding strictly to the principle upon which free governments are constructed, and to those precise lines which fix the partitions of power between different branches, is as plain, if not as cogent, as that of resisting, as our fathers did, the strides of the parent country against the rights of the Colonies; because, whether the power which exceeds its just limits be foreign or domestic, whether it be the encroachment of all branches on the rights of the people, or that of one branch on the rights of others, in either case the balanced and well-adjusted machinery of free government is disturbed, and, if the derangement go on, the whole system must fall.

A FREE PEOPLE, FIRST OBJECT OF.—The first object of a free people is the preservation of their liberty; and liberty is only to be preserved by maintaining constitutional restraints and just divisions of political power. Nothing is more deceptive or more dangerous than the pretence of a desire to simplify government. The simplest governments are despotisms; the next simplest, limited monarchies; but all republics, all governments of law, must impose numerous limitations and qualifications of authority, and give many positive and many qualified rights. In other words, they must be subject to rule and regulation. This is the very essence of free political institutions. The spirit of liberty is, indeed, a bold and fearless spirit; but it is also a sharp-sighted spirit; it is a cautious, sagacious, discriminating, far-seeing intelligence; it is jealous of encroachment, jealous of power, jealous of man. It demands checks; it seeks for guards; it insists on securities; it entrenches itself behind strong defences, and fortifies itself with all possible care against the assaults of ambition and passion. It does not trust the amiable weaknesses of human nature, and therefore it will not permit power to overstep its prescribed limits, though benevolence, good intent, and patriotic purpose come along with it. Neither does it satisfy itself with flashy and temporary resistance to

illegal authority. Far otherwise. It seeks for duration and permanence. It looks before and after; and, building on the experience of ages which are past, it labors diligently for the benefit of ages to come. This is the nature of constitutional liberty; and this is *our* liberty, if we will rightly understand and preserve it. Every free government is necessarily complicated, because all such governments establish restraints, as well on the power of government itself as on that of individuals. If we will abolish the distinction of branches, and have but one branch; if we will abolish jury trials, and leave all to the judge; if we will then ordain that the legislator shall himself be that judge; and if we will place the executive power in the same hands, we may readily simplify government. We may easily bring it to the simplest of all possible forms, a pure despotism. But a separation of departments, so far as practicable, and the preservation of clear lines of division between them, is the fundamental idea in the creation of all our constitutions; and, doubtless, the continuance of regulated liberty depends on maintaining these boundaries.

CONTEST TO RESCUE LIBERTY FROM EXECUTIVE POWER.—Mr. President, the contest for ages has been to rescue Liberty from the grasp of executive power. Whoever has engaged in her sacred cause, from the days of the downfall of those great aristocracies which had stood between the king and the people to the time of our own independence, has struggled for the accomplishment of that single object. On the long list of the champions of human freedom, there is not one name dimmed by the reproach of advocating the extension of executive authority; on the contrary, the uniform and steady purpose of all such champions has been to limit and restrain it. To this end the spirit of liberty, growing more and more enlightened and more and more vigorous from age to age, has been battering, for centuries, against the solid butments of the feudal system. To this end, all that could be gained from the imprudence, snatched from the weakness, or wrung from the necessities of crowned heads, has been carefully gathered up, secured, and hoarded, as the rich treasures, the very jewels of liberty. To this end, popular and representative right has kept up its warfare against prerogative, with various success; sometimes writing the history of a whole age in blood, sometimes witnessing the martyrdom of Sidneys and Russells, often baffled and repulsed, but still gaining, on the whole, and holding what it gained with a grasp which nothing but the complete extinction of its own being could compel it to relinquish. At length, the great conquest over executive power, in the leading western states of Europe, has been

accomplished. The feudal system, like other stupendous fabrics of past ages, is known only by the rubbish which it has left behind it. Crowned heads have been compelled to submit to the restraint of law, and the PEOPLE, with that intelligence and that spirit which make their voice resistless, have been able to say to prerogative, "Thus far shalt thou come, and no farther." I need hardly say, sir, that into the full enjoyment of all which Europe has reached only through such slow and painful steps we sprang at once, by the Declaration of Independence, and by the establishment of free representative governments; governments borrowing more or less from the models of other free states, but strengthened, secured, improved in their symmetry, and deepened in their foundation, by those great men of our own country whose names will be as familiar to future times as if they were written on the arch of the sky.

Through all this history of the contest for liberty, executive power has been regarded as a lion which must be caged. So far from being the object of enlightened popular trust, so far from being considered the natural protector of popular right, it has been dreaded, uniformly, always dreaded, as the great source of its danger.

THE APPOINTING AND REMOVING POWER.

[A Speech on the Appointing and Removing Power, delivered in the Senate of the United States, on the 16th of February, 1835, on the Passage of the Bill entitled "An Act to repeal the First and Second Sections of the Act to limit the Term of Service of certain Officers therein named."]

MR. PRESIDENT,—The professed object of this bill is the reduction of executive influence and patronage. I concur in the propriety of that object. Having no wish to diminish or to control, in the slightest degree, the constitutional and legal authority of the presidential office, I yet think that the indirect and rapidly increasing influence which it possesses, and which arises from the power of bestowing office and of taking it away again at pleasure, and from the manner in which that power seems now to be systematically exercised, is productive of serious evils.

The extent of the patronage springing from this power of appointment and removal is so great, that it brings a dangerous mass of private and personal interest into operation in all great public elections and public questions. This is a mischief which has *reached, already,* an alarming height. The principle of re-

publican governments, we are taught, is public virtue; and whatever tends either to corrupt this principle, to debase it, or to weaken its force, tends, in the same degree, to the final overthrow of such governments. Our representative systems suppose, that, in exercising the high right of suffrage, the greatest of all political rights, and in forming opinions on great public measures, men will act conscientiously, under the influence of public principle and patriotic duty; and that, in supporting or opposing men or measures, there will be a general prevalence of honest, intelligent judgment and manly independence. These presumptions lie at the foundation of all hope of maintaining governments entirely popular. Whenever personal, individual, or selfish motives influence the conduct of individuals on public questions, they affect the safety of the whole system. When these motives run deep and wide, and come in serious conflict with higher, purer, and more patriotic purposes, they greatly endanger that system; and all will admit that, if they become general and overwhelming, so that all public principle is lost sight of, and every election becomes a mere scramble for office, the system inevitably must fall. Every wise man, in and out of government, will endeavor, therefore, the promote the ascendency of public virtue and public principle, and to restrain as far as practicable, in the actual operation of our institutions, the influence of selfish and private interests.

UNLIMITED POWER TO GRANT OFFICE.—The unlimited power to grant office, and to take it away, gives a command over the hopes and fears of a vast multitude of men. It is generally true, that he who controls another man's means of living controls his will. Where there are favors to be granted, there are usually enough to solicit for them; and when favors once granted may be withdrawn at pleasure, there is ordinarily little security for personal independence of character. The power of giving office thus affects the fears of all who are in, and the hopes of all who are out. Those who are *out* endeavor to distinguish themselves by active political friendship, by warm personal devotion, by clamorous support of men in whose hands is the power of reward; while those who are *in* ordinarily take care that others shall not surpass them in such qualities or such conduct as are most likely to secure favor. They resolve not to be outdone in any of the works of partisanship. The consequence of all this is obvious. A competition ensues, not of patriotic labors; not of rough and severe toils for the public good; not of manliness, independence, and public spirit; but of complaisance, of indiscriminate support of executive measures, of pliant subserviency *and gross adulation.* All throng and rush together to the altar

of man-worship; and there they offer sacrifices, and pour out libations, till the thick fumes of their incense turn their own heads, and turn, also, the head of him who is the object of their idolatry.

GOVERNMENT AN AGENCY FOR GOOD OF THE PEOPLE.—Sir, the theory of our institution is plain; it is, that government is an agency created for the good of the people, and that every person in office is the agent and servant of the people. Offices are created, not for the benefit of those who are to fill them, but for the public convenience; and they ought to be no more in number, nor should higher salaries be attached to them, than the public service requires. This is the theory. But the difficulty in practice is, to prevent a direct reversal of all this; to prevent public offices from being considered as intended for the use and emolument of those who can obtain them. There is a headlong tendency to this, and it is necessary to restrain it by wise and effective legislation. There is still another, and perhaps a greatly more mischievous result, of extensive patronage in the hands of a single magistrate, to which I have already incidentally alluded; and that is, that men in office have begun to think themselves mere agents and servants of the appointing power, and not agents of the government or the country. It is, in an especial manner, important, if it be practicable, to apply some corrective to this kind of feeling and opinion. It is necessary to bring back public officers to the conviction, that they belong to the country, and not to any administration, nor to any one man. The army is the army of the country; the navy is the navy of the country; neither of them is either the mere instrument of the administration for the time being, nor of him who is at the head of it. The post-office, the land-office, the custom-house, are, in a like manner, institutions of the country, established for the good of the people; and it may well alarm the lovers of free institutions, when all the offices in these several departments are spoken of, in high places, as being but "spoils to victory," to be enjoyed by those who are successful in a contest, in which they profess this grasping of the spoils to have been the object of their effort.

ON THE LOSS OF THE FORTIFICATION BILL IN 1835.

[A Speech delivered in the Senate of the United States, on the 14th of January, 1836, on Mr. Benton's Resolutions for appropriating the Surplus Revenue to National Defence.]

MAN-WORSHIP.—Whatever was the state of our foreign relations, is it not preposterous to say, that it was necessary for Congress to adopt this measure, and yet not necessary for the President to recommend it? Why should we thus run in advance of all our own duties, and leave the President completely shielded from his just responsibility? Why should there be nothing but trust and confidence on our side, and nothing but discretion and power on his?

Sir, if there be any philosophy in history, if human blood still runs in human veins, if man still conforms to the identity of his nature, the institutions which secure constitutional liberty can never stand long against this excessive personal confidence, against this devotion to men, in utter disregard both of principle and experience, which seem to me to be strongly characteristic of our times. This vote came to us, sir, from the popular branch of the legislature; and that such a vote should come from such a branch of the legislature was amongst the circumstances which excited in me the greatest surprise and the deepest concern. Certainly, sir, certainly I was not, on that account, the more inclined to concur. It was no argument with me, that others seemed to be rushing, with such heedless, headlong trust, such impetuosity of confidence, into the arms of executive power. I held back the more strongly, and would hold back the longer. I see, or I think I see,—it is either a true vision of the future, revealed by the history of the past, or, if it be an illusion, it is an illusion which appears to me in all the brightness and sunlight of broad noon,—that it is in this career of personal confidence, along this beaten track of *man-worship*, marked at every stage by the fragments of other free governments, that our own system is making progress to its close. A personal popularity, honorably earned at first by military achievements, and sustained now by party, by patronage, and by enthusiasm which looks for no ill, because it means no ill itself, seems to render men willing to gratify power, even before its demands are made, and to surfeit executive discretion, even in anticipation of its own appetite.

TRUTH TO PRINCIPLES.—Mr. President, it is the misfortune *of the Senate* to have differed with the executive on many great

questions during the last four or five years. I have regretted this state of things deeply, both on personal and on public accounts; but it has been unavoidable. It is no pleasant employment, it is no holiday business, to maintain opposition against power and against majorities, and to contend for stern and sturdy principle, against personal popularity, against a rushing and overwhelming confidence, that, by wave upon wave and cataract after cataract, seems to be bearing away and destroying whatsoever would withstand it. How much longer we may be able to support this opposition in any degree, or whether we can possibly hold out till the public intelligence and the public patriotism shall be awakened to a due sense of the public danger, it is not for me to foretell. I shall not despair to the last, if, in the mean time, we are true to our own principles. If there be a steadfast adherence to these principles, both here and elsewhere, if, one and all, they continue the rule of our conduct in the Senate, and the rallying-point of those who think with us and support us out of the Senate, I am content to hope on and to struggle on. While it remains a contest for the preservation of the Constitution, for the security of public liberty, for the ascendency of principles over men, I am willing to bear my part of it. If we can maintain the Constitution, if we can preserve this security for liberty, if we can thus give to true principle its just superiority over party, over persons, over names, our labors will be richly rewarded. If we fail in all this, they are already among the living who will write the history of this government, from its commencement to its close.

PAYMENTS FOR THE PUBLIC LANDS IN GOLD AND SILVER.

[Remarks made in the Senate of the United States, on the 23d of April 1836, on the following Resolution, submitted by Mr. Benton :—

"*Resolved*, That, from and after the——day of——, in the year 1836, nothing but gold and silver ought to be received in payment for the public lands; and that the Committee on Public Lands be instructed to report a bill accordingly."]

PRESIDENT, SOLE REPRESENTATIVE.—The future historian of recent events in this country will find no topic more important and prominent, than a review of the doctrines which have been advanced with regard to executive power, and the means employed to increase it. The President himself first advanced the doctrine, and it has been repeated here, that the President is *the sole representative* of the people of the United States. Does

the Constitution make him so? Does the Constitution acknowledge any other representative of the people than the members of the other house? But it has been found extremely convenient to those who wish to increase the President's power to give him this title. This claim of the President reminds me of a remark made many years ago by a member of the House of Representatives. That gentleman had voted against the first Bank of the United States, and had changed his mind, and was about to vote for the second. If, said the gentleman, the people have given us the power to make a bank, we can do it; and if they have not, we are the representatives of the people, and can take the power. And this is the doctrine applied to the President as the peculiar representative of the people. The Constitution gives him a modicum of power, and he, claiming the lion's part, takes all the rest. This is the result of that overwhelming personal popularity which leads men to disregard all the received maxims of the founders of this government, and to yield up all power into the hands of one man. They cannot even now to quote the doctrines of Mr. Jefferson without being scouted, and they cannot resist any power claimed by the executive, however arbitrary, but must yield up everything to him by one universal confidence, because he is the representative of the people.

THE LOUISVILLE CANAL.

[Remarks made in the Senate of the United States, on the Bill to authorize the Purchase, on the part of the Government, of the Private Stock in the Louisville and Portland Canal, on the 25th of May, 1836.]

MR. PRESIDENT, on the question of constitutional power, I entertain not a particle of doubt. How is it, let me ask, that we appropriate money for harbors, piers, and breakwaters on the sea-coast? Where do we find power for this? Certainly in no part of the Constitution in which we cannot find equal power to pass this bill. The same clause covers such appropriations, inland as well as on the sea-coast, or else it covers neither. We have foreign commerce, and we have internal commerce; and the power, and the duty also, of regulating, protecting, aiding, and fostering both, is given in the same words. For one, therefore, sir, I look to the magnitude of the object, and not to its locality. I ask not whether it be east or west of the mountains. There are no Alleghanies in my politics.

I care not whether it be an improvement on the shore of the

sea, or on the shore of one of those mighty rivers, so much like a sea, which flow through our vast interior. It is enough for me to know that the object is a good one, an important one, within the scope of our powers, and called for by the fair claims of our commerce.

THE SPECIE CIRCULAR.

[*U. S. Senate, Dec.* 21, 1836.]

FOR myself, I am of the same opinion as formerly, that for the administration of the finances of the country, for the facility of internal exchanges, and for the due control and regulation of the actual currency, a national institution under proper guards and limits is by far the best means within our reach. And I am, as I always have been, of opinion, that Congress, having the power of regulating commerce and the power over the coinage, has power also, which it is bound to exercise, by lawful means, over that currency in which the revenue is to be collected, and which is to carry on that commerce, external and internal, which is thus committed to its regulation and protection. All the duties of this government are not fulfilled, in my judgment, while it leaves these great interests, thus confided to its own care, to the discretion of others, or to the result of chance.

PROTEST AGAINST THE EXPUNGING RESOLUTION.

[Remarks made in the Senate of the United States, on the 16th of January, 1837, by way of Protest against expunging the Resolution of the 28th of March, 1834, from the Journal.]

FOR ourselves, we stand on the plain words of that Constitution itself. A thousand precedents elsewhere made, whether ancient or modern, can neither rescind, nor control, nor explain away these words.

The words are, that "each house shall KEEP a journal of its proceedings." No gloss, no ingenuity, no specious interpretation, and much less any fair or just reasoning, can reconcile the process of expunging with the plain meaning of these words, to the satisfaction of the common sense and honest understanding of mankind.

If the Senate may now expunge one part of the journal of a

former session, it may, with equal authority, expunge another part, or the whole. It may expunge the entire record of any one session, or of all sessions.

It seems to us inconceivable how any men can regard such a power, and its exercise at pleasure, as consistent with the injunction of the Constitution. It can make no difference what is the completeness or incompleteness of the act of expunging, or by what means done; whether by erasure, obliteration, or defacement; if by defacement, as here proposed, whether one word or many words are written on the face of the record; whether little ink or much ink is shed on the paper; or whether some part, or the whole, of the original written journal may yet by possibility be traced. If the act done be an act to expunge, to blot out, to obliterate, to erase the record, then the record is expunged, blotted out, obliterated, and erased. And mutilation and alteration violate the record as much as obliteration or erasure. A record, subsequently altered, is not the original record. It no longer gives a just account of the proceedings of the Senate. It is no longer true. It is, in short, no journal of the real and actual proceedings of the Senate, such as the Constitution says each house shall keep.

WE PROTEST, we most solemnly PROTEST, against the substance and against the manner of this proceeding; against its object, against its form, and against its effect. We tell you that you have no right to mar or mutilate the record of our votes given here, and recorded according to the Constitution; we tell you that we may as well erase the *yeas and nays* on any other question or resolution, or on all questions and resolutions, as on this; we tell you that you have just as much right to falsify the record, by so altering it as to make us appear to have voted on any question as we did not vote, as you have to erase a record, and make that page a blank in which our votes, as they were actually given and recorded, now stand. The one proceeding, as it appears to us, is as much a falsification of the record as the other.

Having made this PROTEST, our duty is performed. We rescue our own names, character, and honor from all participation in this matter; and whatever the wayward character of the times, the headlong and plunging spirit of party devotion, or the fear or the love of power, may have been able to bring about elsewhere, we desire to thank God that they have not, as yet, overcome the love of liberty, fidelity to true republican principles and a sacred regard for the Constitution, in that State whose soil was drenched to a mire by the first and best blood of the *Revolution.* Massachusetts, as yet, has not been conquered;

and while we have the honor to hold seats here as her Senators, we shall never consent to the sacrifice either of her rights or our own; we shall never fail to oppose what we regard as a plain and open violation of the Constitution of the country; and we should have thought ourselves wholly unworthy of her, if we had not, with all the solemnity and earnestness in our power, PROTESTED against the adoption of the resolution now before the Senate.

A NATIONAL BANK.

[*U. S. Senate, Feb.*8, 1837.]

A NATIONAL BANK, A PERMANENT SYSTEM.—SIR, on the subjects of currency and of the exchanges of commerce, experience is likely to make us wiser than we now are. These highly interesting subjects, interesting to the property, the business, and the means of support of all classes, ought not to be connected with mere party questions and temporary politics. In the business and transactions of life, men need security, steadiness, and a permanent system. This is the very last field for the exhibition of experiments, and I fervently hope that intelligent men, in and out of Congress, will coöperate in measures which may be reasonably expected to accomplish these desirable objects, desirable and important alike to all classes and descriptions of people.

THE REDUCTION OF THE DUTY ON COAL.

[*U. S. Senate, Feb.*24, 1837.]

COAL is a necessary of life to all; to the poor as well as to the rich. The object to be attained is to get it as cheap as possible. The existing state of things has grown up under laws passed fifteen years ago, and the question is, whether, under that state of things, the proposition of the member from Connecticut would, in its principal result, lower the market price of this species of fuel. The member thinks it would. I think otherwise, and have given reasons for this opinion which I hope are not altogether contemptible, and such as do not rightfully expose me to *the charge of advocating* the interests of wealth against labor.

My argument was briefly this. Here is a large capital actually invested in roads, canals, and machinery, the effect of which will, in a short time, make coal abundant, and thereby make it cheap; while, in the meanwhile, the foreign supply is not wholly excluded, and enough is imported to keep down the price by competition. The honorable member thinks that Congress, by taking off this tax, would give the exclusive power of keeping up the price to American producers. I differ from him in opinion. I think that, by taking off this tax, we shall give that power to British producers, and make our citizens the victims of their extortions. Do not rich men as well as poor men make use of coal as a fuel? Is it not their interest to have fuel cheap, as well as the interest of everybody else?

Ah, but the member is for the protection of labor. Very true. And I insist that the protective policy of the United States is aimed point-blank at the protection of labor. Do not the poor of our cities warm themselves over coal fires? What glowing pictures, or rather what shivering pictures of suffering have been presented to the Senate in the eloquent descriptions (if he thinks them eloquent) of the honorable gentleman from South Carolina! But was not the laboring class in our cities the very first who received the protection of this government? The first demand of a constitution was for their protection. It was the operatives spread along the Atlantic coast whose voices brought the Constitution into being. It was not the voices of Hancock and Adams, but of Paul Revere and his artisans, that most efficiently advocated the movement for independence. It was the pouring in of a flood of foreign manufactures that gave the first impulse towards the adoption of a constitution for our own protection; and has not the labor of the whole country been protected under it to this day? Have not the laboring classes of the United States their life and breath and being under that instrument? Take off the protection which it extends to the hatters and the shoemakers, and the whole class of mechanics who work in leather, and see what would be the result. Go to the gentleman's own State (Conn.) and talk of the duty on tinware, and he might possibly hear the tinkling of that argument. Three cents on every coffee-pot! What would the member say to that?

THE POOR, TRUE PROTECTION.—The true way to protect the poor is to protect their labor. Give them work and protect their earnings; that is the way to benefit the poor. Our artisans, I repeat it, were the first to be protected by the Constitution. The protection extended under our laws to capital was as nothing to *that which* was given to labor; and so it should be.

FREE LABOR.—The free labor of the United States deserves to be protected, and, so far as any efforts of mine can go, it shall be. The gentleman from Connecticut tells us that coal is a bounty of Providence ; that our mountains are full of it ; that we have only to take hold of what God has given us. Well, sir, I am for protecting the man who does take hold of it ; who bores the rock ; who penetrates the mountain ; who excavates the mine, and by his assiduous labor puts us into the practical possession of this bounty of Providence. It is not wealth while it lies in the mountain. It is human labor which brings it out and makes it wealth. I am for protecting that poor laborer whose brawny arms thus enrich the state. I am for providing him with cheap fuel, that he may warm himself and his wife and children.

PAYMENT OF THE FOURTH INSTALMENT OF THE SURPLUS REVENUE.

[A Speech delivered in the Senate of the United States, on the 14th of September, 1837, on the Bill to postpone the Payment to the States of the Fourth Instalment of the Surplus Revenue.]

GOVERNMENT A MERE AGENCY.—For one, I consider government as but a mere agency; it acts not for itself, but for the country; the whole end and design of its being are to promote the general interests of the community. Peculiar interests, selfish interests, exclusive regard for itself, are wholly incompatible with the objects of its institution, and pervert it from its true character as an agency for the people into a separate, dominant power, with purposes and objects exclusively its own.

CURRENCY, DUTY OF GOVERNMENT.—It is, in my view, an imperative duty imposed upon this government by the Constitution, to exercise a supervisory care and control over all that is in the country assuming the nature of a currency, whether it be metal or whether it be paper.

POWER TO REGULATE COMMERCE.—The power to regulate trade and commerce between the United States and foreign or Indian nations, and also between the respective States themselves, is expressly conferred by the Constitution upon the general government. It is clear that the power to regulate commerce between the States carries with it, not impliedly, *but necessarily* and directly, a full power of regulating the

essential element of commerce, namely, the currency of the country, the money, which constitutes the life and soul of commerce.

THE CURRENCY.

[A Speech delivered in the Senate of the United States, on the 28th of September, 1837, on the Currency, and on the new Plan for collecting and keeping the Public Moneys.]

GOVERNMENT FOR THE PUBLIC UTILITY.—Is government, I ask, to care for nothing but itself? Is self-preservation the great end of government? Has it no trust powers? Does it owe no duties, but to itself? If it keeps itself in being, does it fulfil all the objects of its creation? I think not. I think government exists, not for its own ends, but for the public utility. It is an agency established to promote the common good, by common counsels; its chief duties are to the people; and it seems to me strange and preposterous, in a moment of great and general distress, that government should confine all its deliberations to the single object of its own revenues, its own convenience, its own undisturbed administration.

DUTY OF GOVERNMENT WITH REGARD TO CURRENCY.—Now, sir, my present purpose is chiefly to maintain two propositions:—

I. That it is the constitutional duty of this government to see that a proper currency, suitable to the ciruumstances of the times, and to the wants of trade and business, as well as to the payment of debts due to government, be maintained and preserved; a currency of general credit, and capable of aiding the operations of exchange, so far as those operations may be conducted by means of the circulating medium; and that there are duties, therefore, devolving on Congress, in relation to currency, beyond the mere regulation of the gold and silver coins:

II. That the message, the bill, and the proposed amendment, all, in effect, deny any such duty, disclaim all such power, and confine the constitutional obligation of government to the mere regulation of the coin, and the care of its own revenues.

DUTY OF CONGRESS WITH REGARD TO CURRENCY.—I insist that the duty of Congress is commensurate with its power; that *it has authority* not only to regulate and control that which

others may put forth as money and currency, but that it has the power, and is bound to perform the duty, of seeing that there is established and maintained, at all times, a currency of general credit, equivalent in value to specie, adapted to the wants of commerce and the business of the people, and suited to the existing circumstances of the country. Such a currency is an instrument of the first necessity to commerce, according to the commercial system of the present age; and without it commerce cannot be conducted to full advantage. It is in the power of Congress to furnish it, and it is in the power of nobody else. The States cannot supply it. That resource has often been tried, and has always failed. I am no enemy to the State banks; they may be very useful in their spheres: but you can no more cause them to perform the duties of a national institution, than you can turn a satellite into a primary orb.

BANKING SYSTEM, APPREHENDED DANGERS OF.—The gentleman next proceeds after this strong testimony in favor even of broken banks, to descant vehemently upon the dangers which he *now* apprehends from the whole banking system, and of course even from good banks! He has classed all these perils very systematically, and finds that the banking system is full of dangers; 1st, to civil liberty; 2dly, to industry; and 3dly, to the moral and intellectual development of mankind.*

Now, as relates to liberty, the only question is, whether the extension of the property and business of the great mass of mankind can be adverse and unfavorable to liberty. If the raising of the great mass of men to a better condition, if surrounding them with greater comforts and greater abundance of all things, if thus elevating their social condition, is unfavorable to liberty, then, indeed, the banking system, or, in other words, the credit system, (for it is the same thing; they are identical,) is, as the gentleman maintains, full of danger to liberty; for it is that very system, and none other, which, within the last two hundred years, has raised the condition of the body of the people in all commercial countries. It is that system which has made the working men and the industrious classes of modern times superior even to the landed proprietors and feudal lords of former times.

The institution of banks is one part in that great system of trade, commerce, and credit, which has grown up within the last two centuries; and, let me ask, what has been the progress of

* This proposition of Mr. Calhoun's is quite softened down, and almost *suppressed, in the printed* speech.— *Note by the Reporter.*

liberty during the lapse of these centuries? Does not the slightest retrospect confute the gentleman's argument? Are the ideas of liberty now less distinct, or its enjoyment less general or less secure, than in the days of the Stuarts? If banks are useful to trade and commerce, if they give to industry the facilities of capital, if they thus raise the mass of society into a better condition, providing for them better, making them richer, multiplying the means of employment for all, enabling the industrious to maintain themselves better and to educate their children better, who is ready to assert that all this has an unfavorable effect on the progress of civil liberty?

But the gentleman has also discovered, not only that the credit system is full of danger to liberty, but that it exercises a pernicious influence upon the industry of the people! This, indeed, is to me entirely new. Surely the gentleman has been dealing with things unreal and imaginary! It is quite a new thing to me that the young men of our country are, as the gentleman says, seeking after an education to make themselves bankers' clerks; and that there is no other road to distinction but employment behind the counter and in the banking-house! How long has this danger been hanging over the land, which has never till now been seen, or suspected, or dreamt of? Even the late illustrious President and the gentleman from Missouri never discovered or suspected so much as this in all their industry and zeal against the banking institutions of the country. It is quite novel to me that the ingenuous youth of the country, in all its colleges and halls, are only seeking to prepare themselves to be cashiers and tellers, writers and accountants! I have never heard that their desire of distinction has taken such a turn, or that, out of regard to such pursuits, they have stifled their ambition for literary and professional distinction. On the contrary, if we look at the subject as it is, we shall discover that a well-regulated banking system is eminently favorable to the industry of the people, by assisting the industrious who have no capital, and lending aid to enterprise which otherwise would waste itself in ineffectual efforts. This system, invaluable to our country, has a tendency to break down the influence which dead Capital confers upon the few who possess it, while it lifts up the many who have no Capital. In so doing, it promotes industry, and betters the condition of the greater number.

THE TWO CURRENCIES, SPECIE AND PAPER.—With respect to the TWO CURRENCIES, one of specie for the government, and the other of depreciated paper for the people, the reasoning we have heard is this: "Would you have government take bad money for *its dues? If* the people are willing to take such a depreciated *medium, ought* the government to take it?"

This, sir, is not our point of objection; we do not wish the government to take *bad money* because the people are obliged to take it. What we complain of is, that the administration does nothing, and proposes nothing, to make this *bad money* of the people *better*. We want an equality; that both government and people may share the same fate, and use the same money, and that the government may perform its duty of rendering the money, the currency of the people, sound and good.

It is this equality which I desire; not that government should take *bad money*, but that it should adopt such measures that there may be no bad money to take; that the people first, and then the government, may have and receive good money. This can only be done by regulating the currency. It cannot be done by continuing a wild warfare against the credit, the currency, the money, of the people. The government has, in times past, thus regulated the currency; and if ever we are to see a return of prosperity it must be done again. But the vice of the message, the defect of this measure and of this amendment, is that nothing is attempted for the people; government looks out for its own part, for the lion's share, and leaves all the rest to chance and accident! Again, I assert and maintain that it is the duty of the government to give effectual relief to the people, and to the people first and most especially; for if the people are relieved from a bad currency, it is plain enough there would be no bad currency for the government to receive. Then this invidious and selfish measure of one currency for the government and another for the people would be rendered unnecessary. It is the duty of the government to do what it can; its power is a trust power; it was not created for itself alone. Its object is the good of the people; and now is not the time to disavow and neglect that object, by leaving the country to suffer, and only providing for itself.

THE COMMONWEALTH BANK, BOSTON.

[*U. S. Senate, Jan.* 17, 1838.]

ONE MODE OF PAYMENT BY THE U. S.—Every notion and of justice requires that there should be one mode of paymen the United States to all who are entitled to payments f government or its officers. There is, at present, no unif medium. Even the treasury-notes, which are issued to pu creditors, are not all of equal value. Some of them carry inte at the rate of five per cent. some at the rate of two per c and some at the rate of *one mill per cent.* An interest of mill!! I cannot but consider it in the highest degree deroga to the dignity and character of any government to create su difference in its payments, whereby the public creditor rece a more or less valuable compensation, not according to his demands, but according to his skill in making a bargain, acc ing to the facility or difficulty of putting him off with a large smaller account.

The other point which I wish now and always to urge is, t in my opinion, however desirable it may be, as some imagin to have gold and silver for government use, so long as there paper circulation in the country it is not possible, in the na of things, that government can so conduct its transactions the people, as to keep itself safe, and keep them safe, while general currency of the country is depreciated or deranged. other words, there can be no safety, there can be no security confidence, even in transactions with government, except b forming and restoring the whole currency of the country, establishing a general and uniform medium of payment. not possible for government, with any practical utility, to a sound currency *only* for itself; there must be such a curr for the people, and for the country generally. It will not possible for the government to stand apart, and strengthen i and take care of itself, and those who deal with it, and se its own safety and theirs, while it neglects to provide for safety, security, and well-being of the whole country.

I will add nothing to these remarks, further than to say, in this case, and in all similar cases, if loss shall turn out to h been suffered by individuals in consequence of illegal paym *made by officers* of government, or in consequence of paym

made in a depreciated medium, if the officers themselves are not liable to make it good, I, for one, shall vote to make good every such deficiency, to the utmost farthing, out of the treasury.

THE SUB-TREASURY.

[*U. S. Senate, Jan.* 31, 1838.]

COMMERCE, GOVERNMENT BOUND TO REGULATE.—I put it to gentlemen to say, whether currency be not a part of commerce, or an indispensable agent of commerce; and something, therefore, which this government is bound to regulate, and to take care of. Gentlemen will not meet the argument. They shun the question. We demand that the just power of the Constitution shall be administered. We assert that Congress has power to regulate commerce, and currency as a part of commerce; we insist that the public exigency, at the present moment, calls loudly for the exercise of this power,—and what do they do? They labor to convince us that the government itself can get on very well without providing a currency for the people, and they betake themselves, therefore, to the sub-treasury system, its unassailable walls, its iron chests, and doubly-secured doors. And having satisfied themselves that, in this way, government may be kept going, they are content. A sound currency for government, a safe currency for revenue,—these are the only things promised, the only things proposed. But these are not the old promise.

The government ought not, in common fairness and common honesty, to deny its own responsibility, and seek to escape from the demands of the people, and to hide itself out of the way, and beyond the reach of the process of public opinion, by retreating into this sub-treasury system. Let it at least come forth; let it bear a part of honesty and candor; let it confess its promises, if it cannot perform them; and above all, now, even now, at this late hour, let it renounce schemes and projects, the inventions of presumption, and the resorts of desperation, and let it address itself, in all good faith, to the great work of restoring the currency by approved and constitutional means.

THE SUB-TREASURY.

[*Second Speech, March* 12, 1838.]

THE CREDIT SYSTEM.—Now, Mr. President, what I understand by the credit system is, that which thus connects labor and capital, by giving to labor the use of capital. In other words, intelligence, good character, and good morals bestow on those who have not capital a power, a trust, a confidence, which enables them to obtain it, and to employ it usefully for themselves and others. These active men of business build their hopes of success on their attentiveness, their economy, and their integrity. A wider theatre for useful activity is under their feet, and around them, than was ever open to the young and enterprising generations of men, on any other spot enlightened by the sun. Before them is the ocean. Everything in that direction invites them to efforts of enterprise and industry in the pursuits of commerce and the fisheries. Around them, on all hands, are thriving and prosperous manufactures, an improving agriculture, and the daily presentation of new objects of internal improvement; while behind them is almost half a continent of the richest land, at the cheapest prices, under healthful climates, and washed by the most magnificent rivers that on any part of the globe pay their homage to the sea. In the midst of all these glowing and glorious prospects, they are neither restrained by ignorance, nor smitten down by the penury of personal circumstances. They are not compelled to contemplate, in hopelessness and despair, all the advantages thus bestowed on their condition by Providence. Capital they may have little or none, but CREDIT supplies its place; not as the refuge of the prodigal and the reckless; not as gratifying present wants with the certainty of future absolute ruin; but as the genius of honorable trust and confidence; as the blessing voluntarily offered to good character and to good conduct; as the beneficent agent, which assists honesty and enterprise in obtaining comfort and independence.

Mr. President, take away this credit, and what remains? I do not ask what remains to tne few, but to the many? Take away this system of credit, and then tell me what is left for labor and industry, but mere manual toil and daily drudgery? If we adopt a system that withdraws capital from active employment, do we not diminish the rate of wages? If we curtail the general business of society, does not every laboring man find his *condition grow* daily worse? In the politics of the day, sir, we

hear much said about divorcing the government from the banks; but when we abolish credit, we shall divorce labor from capital; and depend upon it, sir, when we divorce labor from capital, capital is hoarded, and labor starves.

The declaration so often quoted, that "all who trade on borrowed capital ought to break," is the most aristocratic sentiment ever uttered in this country. It is a sentiment which, if carried out by political arrangement, would condemn the great majority of mankind to the perpetual condition of mere day-laborers. It tends to take away from them all that solace and hope which arise from possessing something which they can call their own. A man loves his own; it is fit and natural that he should do so; and he will love his country, although it be but a very small part of the general mass of property. If it be but a cottage, an acre, a garden, its possession raises him, gives him self-respect, and strengthens his attachment to his native land. It is our happy condition, by the blessing of Providence, that almost every man of sound health, industrious habits, and good morals, can ordinarily attain, at least, to this degree of comfort and respectability; and it is a result devoutly to be wished, both for its individual and its general consequences.

But even to this degree of acquisition that credit of which I have already said so much is highly important, since its general effect is to raise the price of wages, and render industry productive. There is no condition so low, if it be attended with industry and economy, that it is not benefited by credit, as any one will find, if he will examine and follow out its operations.

KNOWLEDGE.—Knowledge is not one of our merely physical wants. Life may be sustained without it. But, in order to live, men must be fed and clothed and sheltered; and in a state of things in which one's whole labor can do no more than procure clothes, food, and shelter, he can have no time nor means for mental improvement. Knowledge, therefore, is not attained, and cannot be attained, till there is some degree of respite from daily manual toil and never-ending drudgery. Whenever a less degree of labor will produce the absolute necessaries of life, then there come leisure and means both to teach and to learn.

POLITICAL ECONOMY.—The general doctrine of political economy is, that wealth consists in whatever is useful or convenient to man, and that labor is the producing cause of all this wealth. This is very true. But, then, what is labor? In the sense of political writers, and in common language, it means human industry; in a philosophical view, it may receive a much more comprehensive meaning. It is not, in that view, human toil only, the mere action of thews and muscles; but it is any active agency

which, working upon the materials with which the world is supplied, brings forth products useful or convenient to man. The materials of wealth are in the earth, in the seas, and in their natural and unaided productions. Labor obtains these materials, works upon them, and fashions them to human use. Now it has been the object of scientific art, or of the application of science to art, to increase this active agency, to augment its power, by creating millions of laborers in the form of machines all but automatic, all to be diligently employed and kept at work by the force of natural powers. To this end these natural powers, principally those of steam and falling water, are subsidized and taken into human employment. Spinning-machines, power-looms, and all the mechanical devices, acting, among other operatives, in the factories and work-shops, are but so many laborers. They are usually denominated labor-*saving* machines, but it would be more just to call them labor-*doing* machines. They are made to be active agents; to have motion, and to produce effect; and though without intelligence, they are guided by laws of science, which are exact and perfect, and they produce results, therefore, in general, more accurate than the human hand is capable of producing. When we look upon one of these, we behold a mute fellow-laborer, of immense power, of mathematical exactness, and of ever-during and unwearied effort. And while he is thus a most skilful and productive laborer, he is a non-consumer, at least beyond the wants of his mechanical being. He is not clamorous for food, raiment, or shelter, and makes no demands for the expenses of education. The eating and drinking, the reading and writing, and the clothes-wearing world, are benefited by the labors of these co-operatives, in the same way as if Providence had provided for their service millions of beings, like ourselves in external appearance, able to labor and to toil, and yet requiring little or nothing for their own consumption or subsistence; or rather, as if Providence had created a race of giants, each of whom, demanding no more for his support and consumption than a common laborer, should yet be able to perform the work of a hundred.

AN EXCLUSIVE METALLIC CURRENCY.—As to an exclusive metallic currency, sir, the administration on this point is regularly Janus-faced. Out doors, and among the people, it shows itself "all *clinquant*, all in gold." There, everything is to be hard money; no paper rags, no delusive credits, no bank monopolies, no trust in paper of any kind. But in the Treasury Department, and in the houses of Congress, we see another aspect, a mixed appearance, partly gold and partly paper; *gold for government*, and paper for the people. The small voice

which is heard here allows the absolute necessity of paper of some sort, and to some extent; while the shouts in the community demand the destruction of all banks, and the final extermination of all paper circulation.

To the people, the lion roars against paper money in all the terror of his natural voice; but to members of Congress he is more discreet; lest he should frighten them out of their wits, he here restrains and modulates, and roars "as gently as any sucking dove," or "an't were any nightingale." The impracticability of an exclusive metallic currency, the absurdity of attempting any such thing in a country like this, is so manifest, that nobody here undertakes to support it by any reasoning or argument. All that is said in its favor is general denunciation of paper, boisterous outcry against the banks, and declamation against existing institutions, full of sound and fury, signifying nothing.

The moment any one considers it, he sees how ridiculous any such attempt would be. An exclusive metallic circulation for the second commercial country on earth, in the nineteenth century! Sir, you might as well propose to abolish commerce altogether.

I do now urge and entreat you, by adjuring you, as I do adjure you, by your love of country and your fidelity to the Constitution, to abandon all untried expedients, to put no trust in ingenuity and contrivance, to have done with projects which alarm and agitate the people, to seek no shelter from obligation and duty, but, with manliness, directness, and true wisdom, to apply to the evils of the times their proper remedy. That Providence may guide the counsels of the country to this end, before even greater disasters and calamities overtake us, is my most fervent prayer!

PUBLIC MEN.—Mr. President, public men must certainly be allowed to change their opinions, and their associations, whenever they see fit. No one doubts this. Men may have grown wiser; they may have attained to better and more correct views of great public subjects. It would be unfortunate, if there were any code which should oblige men, in public or private life, to adhere to opinions once entertained, in spite of experience and better knowledge and against their own convictions of their erroneous character.

SUDDEN MOVEMENTS.—Sudden movements of the affections, whether personal or political, are a little out of nature.

Several years ago, sir, some of the wits of England wrote a mock play, intended to ridicule the unnatural and false feeling, the *sentimentality*, of a certain German school of literature. In

this play, two strangers are brought together at an inn. While they are warming themselves at the fire, and before their acquaintance is yet five minutes old, one springs up and exclaims to the other, "A sudden thought strikes me! Let us swear an eternal frendship!" This affectionate offer was instantly accepted, and the friendship duly sworn, unchangeable and eternal! Now, sir, how long this eternal frendship lasted, or in what manner it ended, those who wish to know may learn by referring to the play.

But it seems to me, sir, that the honorable member has carried his political sentimentality a good deal higher than the flight of the German school; for he appears to have fallen suddenly in love, not with strangers, but with opponents. Here we all had been, sir, contending against the progress of executive power, and more particularly, and most strenuously against the projects and experiments of the administration upon the currency. The honorable member stood among us, not only as an associate, but as a leader. We thought we were making some headway. The people appeared to be coming to our support and our assistance. The country had been roused, every successive election weakening the strength of the adversary, and increasing our own. We were in this career of success carried strongly forward by the current of public opinion, and only needed to hear the cheering voice of the honorable member,

"Once more unto the breach, dear friends, once more!"

and we should have prostrated forever this anti-constitutional, anti-commercial, anti-republican, and anti-American policy of the administration. But instead of these encouraging and animating accents, behold! in the very crisis of our affairs, on the very eve of victory, the honorable member cries out to the enemy, not to us, his allies, but to the enemy: "Hollo! A sudden thought strikes me! I abandon my allies! Now I think of it, they have always been my oppressors! I abandon them, and now let *you and me* swear an eternal friendship!" Such a proposition, from such a quarter, sir, was not likely to be long withstood. The other party was a little coy, but, upon the whole, nothing loath. After proper hesitation, and a little decorous blushing, it owned the soft impeachment, admitted an equally sudden sympathetic impulse on its own side; and, since few words are wanted where hearts are already known, the honorable gentleman takes his place among his new friends amidst greetings and caresses, and is already enjoying the sweets of an *eternal friendship.*

"THE HERMITAGE."—On the broad surface of the country, sir, there is a spot called "the Hermitage." In that residence is an occupant very well known, and not a little remarkable both in person and character. Suppose, sir, the occupant of the Hermitage were now to open that door, enter the Senate, walk forward, and look over the chamber to the seats on the other side. Be not frightened, gentlemen; it is but fancy's sketch. Suppose he should thus come in among us, sir, and see into whose hands has fallen the chief support of that administration, which was, in so great a degree, appointed by himself, and which he fondly relied on to maintain the principles of his own. If gentlemen were now to see his steady military step, his erect posture, his compressed lips, his firmly-knitted brow, and his eye full of fire, I cannot help thinking, sir, they would all feel somewhat queer. There would be, I imagine, not a little awkward moving and shifting in their seats. They would expect soon to hear the roar of the lion, even if they did not feel his paw.

TRIBUTE TO VIRGINIA.—Mr. President, I am a Northern man. I am attached to one of the States of the North by the ties of birth and parentage, by the tillage of paternal fields, by education, by the associations of early life, and by sincere gratitude for proofs of public confidence early bestowed. I am bound to another Northern State by adoption, by long residence, by all the cords of social and domestic life, and by an attachment and regard, springing from her manifestation of approbation and favor, which grapple me to her with hooks of steel. And yet, sir, with the same sincerity of respect, the same deep gratitude, the same reverence and hearty good-will, with which I would pay a similar tribute to either of these States, do I here acknowledge the Commonwealth of Virginia to be entitled to the honor of commencing the work of establishing this constitution. The honor is hers; let her enjoy it; let her forever wear it proudly; there is not a brighter jewel in the coronet that adorns her brow. Let this resolution stand, illustrating her records, and blazoning her name through all time!

UNITY OF COMMERCIAL REGULATION.—Mr. President, this unity of commercial regulation is, in my opinion, indispensable to the safety of the union of the States. In peace it is its strongest tie. I care not on what side, or in which of its branches, this constitutional authority may be attacked. Every successful attack upon it, made anywhere, weakens the whole, and renders the next assault easier and more dangerous. Any denial of its just extent is an attack upon it. We attack it, most fiercely attack it, whenever we say we will not exercise the powers which it enjoins. If the court had yielded to the preten-

sions of respectable States upon the subject of steam navigation, and to the retaliatory proceedings of other States; if retreat and excuse, and disavowal of power, on the part of the United States, had been prevailing sentiments then, in what condition at this moment, let me ask, would the steam navigation of the country have been found? To us, sir, to us, his countrymen,—to us, who feel so much admiration for his genius, and so much gratitude for his services, Fulton would have lived almost in vain. State grants and State exclusions would have covered over all our waters.

Sir, it is in the nature of such things, that the first violation of true principles, or the first departure from them, draws more important violations or departures after it; and the first surrender of just authority will be followed by others more to be deplored. If commerce be a unit, to break it in any one part is to decree its ultimate dismemberment in all. If there be made a first chasm, though it be small, through that the whole wild ocean will pour in, and we may then labor to throw up embankments in vain.

THE SPIRIT OF UNION.—Sir, the spirit of union is particularly liable to temptation and seduction in moments of peace and prosperity. In war, this spirit is strengthened by a sense of common danger, and by a thousand recollections of ancient efforts and ancient glory in a common cause. But in the calms of a long peace, and in the absence of all apparent causes of alarm, things near gain an ascendency over things remote. Local interests and feelings overshadow national sentiments. Our attention, our regard, and our attachment are every moment solicited to what touches us closest, and we feel less and less the attraction of a distant orb. Such tendencies we are bound by true patriotism and by our love of union to resist! This is our duty.

CHARGES OF USURPATION.—The honorable member from Carolina himself habitually indulges in charges of usurpation and oppression against the government of his country. He daily denounces its important measures, in the language in which our Revolutionary fathers spoke of the oppressions of the mother country. Not merely against executive usurpation, either real or supposed, does he utter these sentiments, but against laws of Congress, laws passed by large majorities, laws sanctioned for a course of years by the people. These laws he proclaims, every hour, to be but a series of acts of oppression. He speaks of them as if it were an admitted fact, that such is their true character. This is the language he utters, these are the sentiments *he expresses, to* the rising generation around him. Are they

sentiments and language which are likely to inspire our children with the love of union, to enlarge their patriotism, or to teach them, and to make them feel, that their destiny has made them common citizens of one great and glorious republic? A principal object in his late political movements, the gentleman himself tells us, was to *unite the entire South;* and against whom, or against what, does he wish to unite the entire South? Is not this the very essence of local feeling and local regard? Is it not the acknowledgment of a wish and object to create political strength by uniting political opinions geographically? While the gentleman thus wishes to unite the entire South, I pray to know, sir, if he expects me to turn toward the polar star, and, acting on the same principle, to utter a cry of Rally! to the whole North? Heaven forbid! To the day of my death, neither he nor others shall hear such a cry from me.

Finally, the honorable member declares that he shall now march off, under the banner of State rights! March off from whom? March off from what? We have been contending for great principles. We have been struggling to maintain the liberty and to restore the prosperity of the country; we have made these struggles here, in the national councils, with the old flag, the true American flag, the Eagle, and the Stars and Stripes, waving over the chamber in which we sit. He now tells us, however, that he marches off under the State-rights banner!

Let him go. I remain. I am where I ever have been, and ever mean to be. Here, standing on the platform of the general Constitution, a platform broad enough and firm enough to uphold every interest of the whole country, I shall still be found. Intrusted with some part in the administration of that Constitution, I intend to act in its spirit, and in the spirit of those who framed it. Yes, sir, I would act as if our fathers, who formed it for us and who bequeathed it to us, were looking on me; as if I could see their venerable forms bending down to behold us from the abodes above. I would act, too, as if the eye of posterity was gazing on me.

Standing thus, as in the full gaze of our ancestors and our posterity, having received this inheritance from the former, to be transmitted to the latter, and feeling that, if I am born for any good, in my day and generation, it is for the good of the whole country, no local policy or local feeling, no temporary impulse, shall induce me to yield my foothold on the Constitution of the Union. I move off under no banner not known to the whole American people, and to their Constitution and laws. No, sir; these walls, these columns,

"shall fly
From their firm base as soon as I."

I came into public life, sir, in the service of the United States. On that broad altar, my earliest, and all my public vows, have been made. I propose to serve no other master. So far as depends on any agency of mine, they shall continue united States; united in interest and in affection; united in everything in regard to which the Constitution has decreed their union; united in war, for the common defence, the common renown, and the common glory; and united, compacted, knit firmly together in peace, for the common prosperity and happiness of ourselves and our children.

REPLY TO MR. CALHOUN.*

On Thursday, the 22d of March, Mr. Calhoun spoke at length in answer to Mr. Webster's speech of the 12th of March.

When he had concluded, Mr. Webster immediately rose, and addressed the Senate as follows:—

Mr. President,—I came rather late to the Senate this morning, and, happening to meet a friend on the Avenue, I was admonished to hasten my steps, as "the war was to be carried into Africa," and I was expected to be annihilated. I lost no time in following the advice, sir, since it would be awkward for one to be annihilated without knowing anything about it.

Well, sir, the war has been carried into Africa. The honorable member has made an expedition into regions as remote from the subject of this debate as the orb of Jupiter from that of our earth. He has spoken of the tariff, of slavery, and of the late war. Of all this I do not complain. On the contrary, if it be his pleasure to allude to all or any of these topics, for any purpose whatever, I am ready at all times to hear him.

Sir, this carrying the war, into Africa, which has become so common a phrase among us, is, indeed, imitating a great example; but it is an example which is not always followed with success. In the first place, every man, though he be a man of talent and genius, is not a Scipio; and in the next place, as I recollect this part of Roman and Carthaginian history,—the gentleman may be more accurate, but as I recollect it, when

* A Speech delivered in the Senate of the United States, on the 22d of *March, 1838, in* Answer to Mr. Calhoun.

Scipio resolved upon carrying the war into Africa, Hannibal was not at home. Now, sir, I am very little like Hannibal, but I am at home; and when Scipio Africanus South-Caroliniensis brings the war into my territories, I shall not leave their defence to Asdrubal, nor Syphax, nor anybody else. I meet him on the shore, at his landing, and propose but one contest.

"Concurritur; horæ
Momento cita mors venit, aut victoria læta."

TARIFF POLICY.—Well, sir, and now what does the gentleman make out against me in relation to the tariff? What laurels does he gather in this part of Africa? I opposed the *policy* of the tariff, until it had become the settled and established policy of the country. I have never questioned the constitutional power of Congress to grant protection, except so far as the remark made in Faneuil Hall goes, which remark respects only the length to which protection might properly be carried, so far as the power is derived from the authority to lay duties on imports. But the policy being established, and a great part of the country having placed vast interests at stake in it, I have not disturbed it; on the contrary, I have insisted that it ought not to be disturbed. If there be inconsistency in all this, the gentleman is at liberty to blazon it forth; let him see what he can make of it.

GENERAL EFFECTS OF PROTECTION.

[*U. S. Senate, March* 3, 1840.]

REASONABLE PROTECTION.—Reasonable protection does not so much raise the price of labor, although it should raise it in some degree, as it multiplies the modes of its employment. It prevents any particular channel from being filled and choked up. One of the secrets of prosperity is that there shall be a considerable variety in the pursuits and labors of men.

LABOR AND COMPETITION.—Of what consequence is it to the North and East that the South is able to buy their productions, if overwhelming importations from abroad render them unable to sustain competition? If the cheaper labor of Europe underbids them in everything, if these frequent inundations of foreign commodities break up their establishments, how are they benefitted by the ability of the South to buy and consume? So that,

turn it as we will, it all comes back to the steady price and security of labor. And all the theories lately started, and pressed with so much earnestness, go directly and necessarily to one point; and that is, the reduction of the price of labor. On this I might say much, but at present will confine myself to one or two remarks.

In the first place, when labor is employed, labor can consume; when it is not employed, it cannot consume.

EMPLOYMENT.—Take away employment from our labor, or drive it from its accustomed pursuits, and its power of consumption is at an end.

A WELL-EMPLOYED COMMUNITY.—A well-employed and prosperous community can buy and consume. An ill-employed community cannot buy and consume. This is the solution of the whole matter, and the whole science of political economy has not one truth of half so much importance as this.

THE TREASURY NOTE BILL.

[*U. S. Senate, March* 30, 1840.]

TRUE ECONOMY.—There is, sir, in all these executive communications, a constant repetition of sound general maxims about the importance of economy. I hope the virtue will be practised as well as preached. But in my opinion there is no just economy in refusing appropriations for important, necessary, and useful public objects. Let economy begin by cutting off useless objects, and diminishing the expense of accomplishing such as are useful. Let it push its reform to the reduction of the cost of collecting the revenue. Let it take care of expenditures, by trusting the public moneys to honest hands. Let it reduce offices wherever they can be reduced. In all these, and other like things, let it exert its salutary influence. But is the Cumberland Road to stop, from an impulse of economy? Are the lakes to be left without harbors, from considerations of economy? Are important contingencies in public affairs not to be reasonably provided for, from reasons of economy? What sort of economy would that be?

Sir, I take that great public virtue, true economy, to consist not in an undistinguishing neglect or refusal to appropriate money, but in a careful selection of important and necessary objects of expenditure, in the frugal application of means to accomplish *these objects,* and in enforcing an exact and punctual discharge

of duty by every officer charged either with the collection of money, or with any expenditure, great or small. This is my idea of wise and practical economy, such as it becomes us to practise and such as the country will approve. But it is of little value, or no value at all, that executive communications should rehearse to us general economical maxims, unless they show us what objects of expenditure may be disregarded, or in what other way savings may be made. And it would be especially edifying if these general admonitions should be accompanied and enforced by some striking and brilliant examples set by the heads of departments themselves.

I am for bringing about no reduction in the price of labor. On the other hand, I regard high rates of labor as the surest proofs of general prosperity. I have no desire to see a greater or more unrestrained importation of foreign goods. On the contrary, I am for laying a tax on imported luxuries, thus securing an adequate revenue to government.

And with this revenue I am for defraying the ordinary expenses of government, making reasonable provision for unexpected contingencies, and for accomplishing important and useful works, for which we have been so much solicited by our constituents, and which, in my opinion, the several parts of the country have a right to call on us no longer to neglect.

A UNIFORM SYSTEM OF BANKRUPTCY.

[A Speech delivered in the U. S. Senate, on the 18th of May, 1840, on the proposed Amendment to the Bill establishing a Uniform System of Bankruptcy.]

THE BANKRUPTCY ACT.—Shall the bankruptcy act, in its application to individuals, be voluntary only, or both voluntary and compulsory? It is well known that I prefer that it should be both. I think all insolvent and failing persons should have power to come in under its provisions, and be voluntary bankrupts; and I think, too, that, as to those who are strictly merchants and traders, creditors ought to have a right to proceed against them, on the commission of the usual act of bankruptcy, and subject them to the provisions of the act.

IMPRISONMENT FOR DEBT.—Sir, there is one crime, quite too common, which the laws of man do not punish, but which cannot escape the justice of God; and that is, the arrest and confinement of a debtor by his creditor, with no motive on earth but

the hope that some friend, or some relative, perhaps almost as poor as himself, his mother it may be, or his sisters, or his daughters, will give up all their own little pittance, and make beggars of themselves, to save him from the horrors of a loathsome jail. Human retribution cannot reach this guilt; human feeling may not penetrate the flinty heart that perpetrates it; but an hour is surely coming, with more than human retribution on its wings, when that flint shall be melted, either by the power of penitence and grace, or in the fires of remorse.

Sir, I verily believe that the power of perpetuating debts against debtors, for no substantial good to the creditor himself, and the power of imprisonment for debt, at least as it existed in this country ten years ago, have imposed more restraint on personal liberty than the law of debtor and creditor imposes in any other Christian and commercial country. If any public good were attained, any high political object answered, by such laws, there might be some reason for counselling submission and sufferance to individuals. But the result is bad, every way. It is bad to the public and to the country, which loses the efforts and the industry of so many useful and capable citizens. It is bad to creditors, because there is no security against preferences, no principle of equality, and no encouragement for honest, fair, and seasonable assignments of effects. As to the debtor, however good his intentions or earnest his endeavors, it subdues his spirit, and degrades him in his own esteem; and if he attempts anything for the purpose of obtaining food and clothing for his family, he is driven to unworthy shifts and disguises, to the use of other persons' names, to the adoption of the character of agent, and various other contrivances, to keep the little earnings of the day from the reach of his creditors. Fathers act in the name of their sons, sons act in the name of their fathers; all constantly exposed to the greatest temptation to misrepresent facts and to evade the law, if creditors should strike. All this is evil, unmixed evil. And what is it all for? Of what benefit to anybody? Who likes it? Who wishes it? What class of creditors desire it? What consideration of public good demands it?

Sir, we talk much, and talk warmly, of political liberty; and well we may, for it is among the chief of public blessings. But who can enjoy political liberty if he is deprived, permanently, of personal liberty, and the exercise of his own industry and his own faculties? To those unfortunate individuals, doomed to the everlasting bondage of debt, what is it that we have free institutions of government? What is it that we have public and *popular* assemblies? What is even this Constitution itself to

them, in its actual operation, and as we now administer it? What is its aspect to them, but an aspect of stern, implacable severity? an aspect of refusal, denial, and frowning rebuke? nay, more than that, an aspect not only of austerity and rebuke, but, as they must think it, of plain injustice also, since it will not relieve them, nor suffer others to give them relief? What love can they feel towards the Constitution of their country, which has taken the power of striking off their bonds from their own paternal State government, and yet, inexorable to all the cries of justice and of mercy, holds it unexercised in its own fast and unrelenting grasp? They find themselves bondsmen, because we will not execute the commands of the Constitution; bondsmen to debts they cannot pay, and which all know they cannot pay, and which take away the power of supporting themselves. Other slaves have masters, charged with the duty of support and protection; but their masters neither clothe, nor feed, nor shelter; they only bind.

But, sir, the fault is not in the Constitution. The Constitution is beneficent as well as wise in all its provisions on this subject. The fault, I must be allowed to say, is in us, who have suffered ourselves quite too long to neglect the duty incumbent upon us.

BANKRUPT LAW, DUTY WITH REGARD TO.—Mr. President, let us atone for the omissions of the past by a prompt and efficient discharge of present duty. The demand for this measure is not partial or local. It comes to us, earnest and loud, from all classes and all quarters. The time is come when we must answer it to our own consciences, if we suffer longer delay or postponement. High hopes, high duties, and high responsibilities concentrate themselves on this measure and this moment. With a power to pass a bankrupt law, which no other legislature in the country possesses, with a power of giving relief to many, doing injustice to none, I again ask every man who hears me, if he can content himself without an honest attempt to exercise that power? We may think it would be better to leave the power with the States; but it was not left with the States; they have it not, and we cannot give it to them. It is in our hands, to be exercised by us, or to be forever useless and lifeless. Under these circumstances, does not every man's heart tell him that he has a duty to discharge? If the final vote shall be given this day, and if that vote shall leave thousands of our fellow-citizens and their families, in hopeless and helpless distress, to everlasting subjection to irredeemable debt, can we go to our beds with satisfied consciences? Can we lay our heads upon our pillows, and, without self-reproach, supplicate the Al-

mighty Mercy to forgive us our debts as we forgive our debtors! Sir, let us meet the unanimous wishes of the country, and proclaim relief to the unfortunate throughout the land. What should hinder? What should stay our hands from this good work? Creditors do not oppose it; they apply for it; debtors solicit it, with an importunity, earnestness, and anxiety not to be described; the Constitution enjoins it; and all the considerations of justice, policy, and propriety, which are wrapped up in the phrase Public Duty, demand it, as I think, and demand it loudly and imperatively, at our hands. Sir, let us gratify the whole country, for once, with the joyous clang of chains, joyous because heard falling from the limbs of men. The wisest among those whom I address can desire nothing more beneficial than this measure, or more universally desired; and he who is youngest may not expect to live long enough to see a better opportunity of causing new pleasures and a happiness long untasted to spring up in the hearts of the poor and the humble. How many husbands and fathers are looking with hopes which they cannot suppress, and yet hardly dare to cherish, for the result of this debate! How many wives and mothers will pass sleepless and feverish nights, until they know whether they and their families shall be raised from poverty, despondency, and despair, and restored again to the circles of industrious, independent, and happy life!

Sir, let it be to the honor of Congress that, in these days of political strife and controversy, we have laid aside for once the sin that most easily besets us, and, with unanimity of counsel, and with singleness of heart and of purpose, have accomplished for our country one measure of unquestionable good.

A UNIFORM SYSTEM OF BANKRUPTCY.

[A Speech delivered in the Senate of the United States, on the 5th of June, 1840, on Mr. Clay's Motion to strike out the Compulsory Part of the Bankrupt Bill.]

FALSE CREDIT.—What is it that upholds so much false credit? What is it that enables men to extend their transactions so far beyond their capital? What is it that enables them, also, to go on, often for a long time, after they become really insolvent? It is the practice of indorsement and suretyship, a practice, I venture to say, more extensive in the United States than in any other country. Men get trust upon the strength of other men's names. I do not speak of the discount of notes and bills taken in the common operations of sale and purchase, but I speak of pure accommodation, of the the discount of paper representing no transaction of sale or purchase, but made for borrowing money merely, and indorsing for the sole accommodation of the borrower. That great excesses have been committed in operations of this kind, no man who has attended to the transactions of trade can doubt, nor can any one doubt that great evils arise from this source. Indorsement and suretyship, therefore, are the means by which excessive and false credit is upheld. And how is this endorsement obtained? This leads us one step farther in the inquiry. How is it that persons, continuing to carry on business after they are really insolvent, and are suspected, if not known to be so, can procure others to indorse their paper? Sir, we all know how it is. It is by promising to secure indorsers at all events. It is by giving an assurance that, if the party stops payment, a preference shall be made, and the indorsers shall be favored creditors. Hence it is quite general, perhaps universal, that, when an insolvent assigns his property for the benefit of his creditors, he classifies his creditors, and puts indorsers into the first class. This has become a sort of law of honor. A man that disregards it is, in some measure, disgraced. We hear daily of honorary debts, and we hear reproaches against those who, being insolvent, have yet pushed on, in the hope of retrieving their affairs, until, when failure comes, and come it does, sooner or later, they have not enough left to discharge these honorary obligations.

Now, at the bottom of all this is preference. The preference of one creditor to another, both debts being honest, is allowed by the general rules of law, but is not allowed by bankrupt laws. And this right of preference is the foundation on which the

structure rests. On the legal right or power of preference lies the promise of preference. On the promise of preference lies indorsement. On indorsement lies extensive and false credit, On excessive and false credit lies over-trading. This, sir, is the regular stratification. If we strike out preference, we shall knock away the foundation-stone.

DEBTOR AND CREDITOR.—Sir, the great motive by which the debtor is to be brought to act honestly and fairly is his hope of a discharge. This is to him everything. Hardly any earthly object, in his view, can be greater. It is this which is to reinstate him in a condition of effort and action. Creditors can obtain a benefit by means of this, far superior to any good which they can ever get by holding on to his future earnings. Generally, this last right is good for nothing to the mass of creditors, though sometimes an individual may profit by it. In some cases, it is true, where the amount of debt is small, the bankrupt will struggle hard to earn the means of payment, that he may afterwards work for himself. But if the amount be large, he will make no such effort. He will not work altogether for his creditors. Not only will he not do that, but, as I have already said, he is under strong temptation to retain and conceal what he already possesses. I need not say of what evil consequence all this is. I need not say what ill-will naturally grows up between debtors and creditors standing in this relation. The creditor thinks his debtor unjust and roguish; the debtor regards his creditor as remorseless and cruel; and mutual reproaches and deep bitterness of feeling are often the result. How much better, sir, every way, that the law, by its timely interference, should give the debtor's property to whom it belongs, and set him free to begin a new career of industry and usefulness!

THE BENEFIT OF A DEBTOR.—The benefit of a debtor consists in obtaining a discharge; this he shall have, but, in order to obtain it, he shall give the creditors the benefit of a full and honest surrender of all his property; he shall show, if a merchant, that he has kept proper and regular books of account; it must appear that there has been no false swearing on his part, or the concealment of any part of his property; that he has not admitted any false or fictitious debt against his estate; that he has not applied any trust money to his own use; and that he has not paid any debt by way of preferring one creditor to another, in contemplation of bankruptcy. And the Senate, if they see fit, may insert that the consent of creditors shall be necessary to his discharge, though, for one, I should never agree to that, without reserving a right to the debtor to summon dissenting creditors to appear before the proper tribunal, and show some just reason for withholding a discharge.

ABOLITION OF PREFERENCE TO INDORSERS.—Sir, a great part of the credit of the country is bank credit. A great part of all indorsement and suretyship is bank indorsement and bank suretyship. I do not speak particularly of the great cities; I speak of the country generally. Now, indorsement, as I have already said, rests on the idea of preference. And if we take away preference, do we not diminish bank indorsement and bank accommodation? And do we not in this way act directly on the quantity of bank paper issued for circulation? Do we not keep the issues of paper nearer to the real wants of society? This view of the case might be much pressed and amplified. There is much in it, if I am not mistaken. For the present, I only suggest it; but he who shall consider the subject longest and deepest will be most thoroughly convinced that in this respect, as well as others, the abolition of preference to indorsers will act beneficially to the public.

OREGON.

[*U. S. Senate, Dec.* 15, 1845.]

GOVERNMENT, TWO WAYS OF PROCEEDING.—Sir, there are two ways, in either of which a government may proceed; and, when I have stated them, I think it will be obvious to every one which is the wisest. We may, if we choose, create alarm and apprehension. We may, if we are wiser, cause no unnecessary alarm, but make quiet, thorough, just, politic, statesmanlike provision for the future.

OREGON.

[*Feb.* 26, 1846]

NATIONAL COMMERCE.—The nation possesses a great commerce. Now it is easy for a gentleman to say, "I disregard commerce on a question of the national honor." So do I, when that is the question. If the honor of my country is attacked, I will say, in the memorable language once used by a member of the other house, "Perish commerce!" But there are interests not to be trifled with. Those great interests of this country, in which is involved the daily bread of thousands and millions of men, are not to be put in jeopardy for objects not in reality connected either with the honor or the substantial interests of the country.

DEFENCE OF THE TREATY OF WASHINGTON.

[*April* 6, 7, 1846, *U. S. Senate.*]

IT was asked in the House of Commons, not inaptly, What would the people of Maine think, when they should read that they were to be visited by three learned foreigners, one from Prussia, one from Saxony, and one from Sardinia? To be sure, what would they think, when they should see three learned foreign professors, each speaking a different language, and none of them the English or American tongue, among the swamps and morasses of Maine in summer, or wading through its snows in winter,—on the Allegash, the Maguadavic, or among the moose deer, on the precipitous and lofty shores of Lake Pohenagamook,—and for what? To find where the division was, between Maine and New Brunswick! Instructing themselves by these labors, that they might repair to Frankfort on the Maine, and there hold solemn and scientific arbitration on the question of a boundary line, in one of the deepest wildernesses of North America!

Sir, I do not know what might have happened, if this project had gone on. Possibly, sir, but that your country has called you to higher duties, you might now have been at Frankfort on the Maine, the advocate of our cause before the scientific arbitration. If not yourself, some one of the honorable members here very probably would have been employed in attempting to utter in the heart of Germany the almost unspeakable names bestowed by the Northeastern Indians on American lakes and streams. Mr. Fox, it is said, on reading his despatch, replied with characteristic promptitude and good sense, "For Heaven's sake, save us from the philosophers! Have sovereigns, if you please, but no professional men."

AMERICAN MERCHANT VESSELS, PROTECTION OF.—"IN EVERY REGULARLY DOCUMENTED AMERICAN MERCHANT-VESSEL, THE CREW WHO NAVIGATE IT WILL FIND THEIR PROTECTION IN THE FLAG WHICH IS OVER THEM."

This declaration will stand. Not on account of any particular ability displayed in the letter which it concludes; still less on account of the name subscribed to it. But it will stand, because it announces the true principles of public law; because it announces the great doctrine of the equality and independence of nations upon the seas; and because it announces the determination of the government and the people of the United States to *uphold those* principles, and to maintain that doctrine, through

good report and through evil report, forever. We shall negotiate no more, nor attempt to negotiate more, about impressment. We shall not treat, hereafter, of its limitation to parallels of latitude and longitude. We shall not treat of its allowance or disallowance in broad seas or narrow seas. We shall think no more of stipulating for exemption from its exercise of some of the persons composing crews. Henceforth, the deck of every American vessel is inaccessible for any such purpose. It is protected, guarded, defended, by the declaration which I have read, and that declaration will stand.

THE NORTHEASTERN BOUNDARY.—Mr. President, I have reached the end of these remarks, and the completion of my purpose; and I am now ready, sir, to put the question to the Senate, and to the country, whether the northeastern boundary has not been fairly and satisfactorily settled; whether proper satisfaction and apology have not been obtained, for an aggression on the soil and territory of the United States; whether proper and safe stipulations have not been entered into, for the fulfilment of the duty of the government, and for meeting the earnest desire of the people, in the suppression of the slave trade; whether, in pursuance of these stipulations, a degree of success in the attainment of that object has not been reached, wholly unknown before; whether crimes disturbing the peace of nations have not been suppressed; whether the safety of the Southern coasting trade has not been secured; whether impressment has not been struck out from the list of contested questions among nations; and finally, and more than all, whether anything has been done to tarnish the lustre of the American name and character?

Mr. President, my best services, like those of every other good citizen, are due to my country; and I submit them, and their results, in all humility, to her judgment. But standing here, to-day, in the Senate of the United States, and speaking in behalf of the administration of which I formed a part, and in behalf of the two houses of Congress, who sustained that administration, cordially and effectually, in everything relating to this day's discussion, I am willing to appeal to the public men of the age, whether, in 1842, and in the city of Washington, something was not done for the suppression of crime, for the true exposition of the principles of public law, for the freedom and security of commerce on the ocean, and for the peace of the world?

THE TARIFF.

[A Speech delivered in the Senate, on the 25th and 27th of July, 1846, on the Bill "to reduce the Duties on Imports, and for other Purposes."]

INCONSISTENCIES OF OPINION.—Inconsistencies of opinion, arising from changes of circumstances, are often justifiable. But there is one sort of inconsistency which is culpable. It is the inconsistency between a man's conviction and his vote; between his conscience and his conduct.

EMPLOYMENT, CAUSE OF PROSPERITY.—Taking the mass of men as they exist amongst us, what is it that constitutes their prosperity? Throughout the country, perhaps more especially at the North, from early laws and habits, there is a distribution of all the property accumulated in one generation among the whole succession of sons and daughters in the next. Property is everywhere distributed as fast as it is accumulated, and not in more than one case out of a hundred is there an accumulation beyond the earnings of one or two generations. The first consequence of this is a great division of property into small parcels, and a considerable equality in the condition of a great portion of the people. The next consequence is, that, out of the whole mass, there is a very small proportion, hardly worthy of being named, that does not pursue some active business for a living. Who is there that lives on his income? How many, out of millions of prosperous people between this place and the British Provinces, and throughout the North and West, are there who live without being engaged in active business? The number is not worth naming. This is therefore a country of labor. I do not mean manual labor entirely. There is a great deal of that; but I mean some sort of employment that requires personal attention, either of oversight or manual performance; some form of active business. That is the character of our people, and that is the condition of our people. Our destiny is labor. Now, what is the first great cause of prosperity with such a people? Simply, *employment.* Why, we have cheap clothing, and there is no sort of doubt that these things are very desirable to all persons of moderate circumstances, and laborers. But they are not the first requisites. The first requisite is that which enables men to buy food and clothing, cheap or dear.

THE INTEREST OF A LABORING COMMUNITY.—The interest of *every laboring* community requires diversity of occupations, pur-

suits, and objects of industry. The more that diversity is multiplied or extended, the better. To diversify employment, is to increase employment, and to enhance wages. And, sir, take this great truth; place it on the title-page of every book of political economy intended for the use of the United States; put it in every Farmer's Almanac; let it be the heading of the column in every Mechanic's Magazine; proclaim it everywhere, and make it a proverb, that *where there is work for the hands of men, there will be work for their teeth.* Where there is employment, there will be bread. It is a great blessing to the poor to have cheap food; but greater than that, prior to that, and of still higher value, is the blessing of being able to buy food by honest and respectable employment. Employment feeds, and clothes, and instructs. Employment gives health, sobriety, and morals. Constant employment and well-paid labor produce, in a country like ours, general prosperity, content, and cheerfulness. Thus happy have we seen the country. Thus happy may we long continue to see it.

OBJECTS OF THE MEXICAN WAR.

[A Speech delivered in the Senate of the United States, on the 23d of March, 1848, on the Bill from the House of Representatives for raising a Loan of Sixteen Millions of Dollars.]

POLITICAL PARTISANS.—Sir, political partisans, and aspirants, and office-seekers are not sunflowers. They do not

> "turn to their god when he sets
> The same look which they turned when he rose."

ARBITRARY GOVERNMENTS.—Arbitrary governments may have territories and distant possessions, because arbitrary governments may rule them by different laws and different systems. Russia may rule in the Ukraine and the provinces of the Caucasus and Kamtschatka by different codes, ordinances, or ukases. We can do no such thing. They must be of us, *part* of us, or else strangers.

I think I see that in progress which will disfigure and deform the Constitution. While these territories remain territories, they will be a trouble and an annoyance; they will draw after them vast expenses; they will probably require as many troops as we have maintained during the last twenty years to defend

them against the Indian tribes. We must maintain an army at that immense distance. When they shall become States, they will be still more likely to give us trouble.

I think I see a course adopted which is likely to turn the Constitution of the land into a deformed monster, into a curse rather than a blessing; in fact, a frame of an unequal government, not founded on popular representation, not founded on equality, but on the grossest inequality; and I think that this process will go on, or that there is *danger* that it will go on, until this Union shall fall to pieces. I resist it, to-day and always! Whoever falters or whoever flies, I continue the contest!

I know, sir, that all the portents are discouraging. Would to God I could auspicate good influences! Would to God that those who think with me, and myself, could hope for stronger support! Would that we could stand where we desire to stand. I see the signs are sinister. But with few, or alone, my position is fixed. If there were time, I would gladly awaken the country. I believe the country might be awakened, although it may be too late. For myself, supported or unsupported, by the blessing of God, I shall do my duty. I see well enough all the adverse indications. But I am sustained by a deep and a conscientious sense of duty; and while supported by that feeling, and while such great interests are at stake, I defy auguries, and ask no omen but my country's cause!

EXCLUSION OF SLAVERY FROM THE TERRITORIES.

[*Aug.* 12, 1848, *U. S. Senate.*]

FREEDOM ALWAYS PRESUMED.—It was a maxim of the civil law, that, between slavery and freedom, freedom should always be presumed, and slavery must always be proved. If any question arose as to the *status* of an individual in Rome, he was presumed to be free until he was proved to be a slave, because slavery is an exception to the general rule. Such, I suppose, is the general law of mankind. An individual is to be presumed to be free, until a law can be produced which creates ownership in his person.

OPPOSITION TO SLAVERY.—Let me conclude, therefore, by remarking, that, while I am willing to present this as showing my

own judgment and position, in regard to this case, and I beg it to be understood that I am speaking for no other than myself, and while I am willing to offer it to the whole world as my own justification, I rest on these propositions: First, That when this Constitution was adopted, nobody looked for any new acquisition of territory to be formed into slave-holding States. Secondly, That the principles of the Constitution prohibited, and were intended to prohibit, and should be construed to prohibit, all interference of the general government with slavery as it existed and as it still exists in the States. And then, looking to the operation of these new acquisitions, which have in this great degree had the effect of strengthening that interest in the South by the addition of these five States, I feel that there is nothing unjust, nothing of which any honest man can complain, if he is intelligent, and I feel that there is nothing with which the civilized world, if they take notice of so humble a person as myself, will reproach me, when I say, as I said the other day, that I have made up my mind, for one, that under no circumstances will I consent to the further extension of the area of slavery in the United States, or to the further increase of slave representation in the House of Representatives.

THE CONSTITUTION AND THE UNION.

[*Delivered in U. S. Senate, March 7, 1850.*]

WITH THE HIGHEST RESPECT,

AND THE DEEPEST SENSE OF OBLIGATION,

I DEDICATE THIS SPEECH

TO THE

PEOPLE OF MASSACHUSETTS.

"HIS EGO GRATIORA DICTU ALIA ESSE SCIO; SED ME VERA PRO GRATIS LOQUI, ETSI MEUM INGENIUM NON MONERET, NECESSITAS COGIT. VELLEM, EQUIDEM, VOBIS PLACERE; SED MULTO MALO VOS SALVOS ESSE, QUALICUMQUE ERGA ME ANIMO FUTURI ESTIS."

DANIEL WEBSTER.

MR PRESIDENT,—I wish to speak to-day, not as a Massachusetts man, nor as a Northern man, but as an American, and a member of the Senate of the United States. It is fortunate that there is a Senate of the United States; a body not yet moved from its propriety, not lost to a just sense of its own dignity and its own high responsibilities, and a body to which the country looks, with confidence, for wise, moderate, patriotic, and healing counsels. It is not to be denied that we live in the midst of strong agitations, and are surrounded by very considerable dangers to our institutions and government. The imprisoned winds are let loose. The East, the North, and the stormy South combine to throw the whole sea into commotion, to toss its billows to the skies, and disclose its profoundest depths. I do not affect to regard myself, Mr. President, as holding, or as fit to hold, the helm in this combat with the political elements; but I have a duty to perform, and I mean to perform it with fidelity, not without a sense of existing dangers, but not without hope. I have a part to act, not for my own security or safety, for I am looking out for no fragment upon which to float away from the wreck, if wreck there must be, but for the good of the whole, and the preservation of all; and there is that which will keep me to my duty during this struggle, whether the sun *and the stars* shall appear, or shall not appear for many days.

I speak to-day for the preservation of the Union. "Hear me for my cause." I speak to-day, out of a solicitous and anxious heart, for the restoration to the country of that quiet and that harmony which make the blessings of this Union so rich, and so dear to us all.

SLAVERY.—Slavery has existed in the world from time immemorial. There was slavery in the earliest periods of history, among the Oriental nations. There was slavery among the Jews; the theocratic government of that people issued no injunction against it. There was slavery among the Greeks; and the ingenious philosophy of the Greeks found, or sought to find, a justification for it exactly upon the grounds which have been assumed for such a justification in this country; that is, a natural and original difference among the races of mankind, and the inferiority of the black or colored race to the white. The Greeks justified their system of slavery upon that idea, precisely. They held the African and some of the Asiatic tribes to be inferior to the white race; but they did not show, I think, by any close process of logic, that, if this were true, the more intelligent and the stronger had therefore a right to subjugate the weaker.

The more manly philosophy and jurisprudence of the Romans placed the justification of slavery on entirely different grounds. The Roman jurists, from the first and down to the fall of the empire, admitted that slavery was against the natural law, by which, as they maintained, all men, of whatsoever clime, color, or capacity, were equal; but they justified slavery, first, upon the ground and authority of the law of nations, arguing, and arguing truly, that at that day the conventional law of nations admitted that captives in war, whose lives, according to the notions of the times, were at the absolute disposal of the captors, might, in exchange for exemption from death, be made slaves for life, and that such servitude might descend to their posterity. The jurists of Rome also maintained, that, by the civil law, there might be servitude or slavery, personal and hereditary; first, by the voluntary act of an individual, who might sell himself into slavery; secondly, by his being reduced into a state of slavery by his creditors, in satisfaction of his debts; and, thirdly, by being placed in a state of servitude or slavery for crime. At the introduction of Christianity, the Roman world was full of slaves, and I suppose there is to be found no injunction against that relation between man and man in the teachings of the Gospel of Jesus Christ or of any of his Apostles. The object of the instruction imparted to mankind by the founder of Christianity was to touch the heart, purify the *soul, and improve* the lives of individual men. That object

went directly to the first fountain of all the political and social relations of the human race, as well as of all true religious feeling, the individual heart and mind of man.

JUST WARS.—I do not deny that there may be just wars. There certainly are; but it was the remark of an eminent person, not many years ago, on the other side of the Atlantic, that it is one of the greatest reproaches to human nature that wars are sometimes just. The defence of nations sometimes causes a just war against the injustice of other nations. In this state of sentiment upon the general nature of slavery lies the cause of a great part of those unhappy divisions, exasperations, and reproaches which find vent and support in different parts of the Union.

SLAVERY NOT IN CONSTITUTION.—THE term *slave*, or *slavery*, is not used in the Constitution. The Constitution does not require that "fugitive slaves" shall be delivered up. It requires that persons held to service in one State, and escaping into another, shall be delivered up. Mr. Madison opposed the introduction of the term *slave*, or *slavery*, into the Constitution; for he said that he did not wish to see it recognized by the Constitution of the United States of America that there could be property in men.

EXCLUSION OF SLAVERY.—Wherever there is a substantive good to be done, wherever there is a foot of land to be prevented from becoming slave territory, I am ready to assert the principle of the exclusion of slavery. I am pledged to it from the year 1837; I have been pledged to it again and again; and I will perform those pledges; but I will not do a thing unnecessarily that wounds the feelings of others, or that does discredit to my own understanding.

SECESSION.—Secession! Peaceable secession! Sir, your eyes and mine are never destined to see that miracle. The dismemberment of this vast country without convulsion! The breaking up of the fountains of the great deep without ruffling the surface! Who is so foolish, I beg everybody's pardon, as to expect to see any such thing? Sir, he who sees these States, now revolving in harmony around a common centre, and expects to see them quit their places and fly off without convulsion, may look the next hour to see the heavenly bodies rush from their spheres, and jostle against each other in the realms of space, without causing the wreck of the universe. There can be no such thing as a peaceable secession. Peaceable secession is an utter impossibility. Is the great Constitution under which we *live, covering* this whole country, is it to be thawed and melted *away by* secession, as the snows on the mountain melt under

the influence of a vernal sun, disappear almost unobserved, and run off? No, sir! No, sir! I will not state what might produce the disruption of the Union; but, sir, I see as plainly as I see the sun in heaven what that disruption itself must produce; I see that it must produce war, and such a war as I will not describe, *in its twofold character.*

Peaceable secession! Peaceable secession! The concurrent agreement of all the members of this great republic to separate! A voluntary separation, with alimony on one side and on the other. Why, what would be the result? Where is the line to be drawn? What States are to secede? What is to remain American? What am I to be? An American no longer? Am I to become a sectional man, a local man, a separatist, with no country in common with the gentlemen who sit around me here, or who fill the other house of Congress? Heaven forbid! Where is the flag of the republic to remain? Where is the eagle still to tower? or is he to cower, and shrink, and fall to the ground? Why, sir, our ancestors, our fathers and our grandfathers, those of them that are yet living amongst us with prolonged lives, would rebuke and reproach us; and our children and our grandchildren would cry out shame upon us, if we of this generation should dishonor these ensigns of the power of the government and the harmony of that Union which is every day felt among us with so much joy and gratitude. What is to become of the army? What is to become of the navy? What is to become of the public lands? How is each of the thirty States to defend itself? I know, although the idea has not been stated distinctly, there is to be, or it is supposed possible that there will be, a Southern Confederacy. I do not mean, when I allude to this statement, that any one seriously contemplates such a state of things. I do not mean to say that it is true, but I have heard it suggested elsewhere, that the idea has been entertained, that, after the dissolution of this Union, a Southern Confederacy might be formed. I am sorry, sir, that it has ever been thought of, talked of, or dreamed of, in the wildest flights of human imagination. But the idea, so far as it exists, must be of a separation, assigning the slave States to one side and the free States to the other. Sir, I may express myself too strongly, perhaps, but there are impossibilities in the natural as well as in the physical world, and I hold the idea of a separation of these States, those that are free to form one government, and those that are slave-holding to form another, as such an impossibility. We could not separate the States by any such line, if we were to draw it. We could not sit down here to-day and draw a line of separation that would satisfy any *five men in the* country. There are natural causes that would

keep and tie us together, and there are social and domestic relations which we could not break if we would, and which we should not if we could.

LIBERTY AND UNION, FRESH AIR OF.—And now, Mr. President, instead of speaking of the possibility or utility of secession, instead of dwelling in those caverns of darkness, instead of groping with those ideas so full of all that is horrid and horrible, let us come out into the light of day; let us enjoy the fresh air of Liberty and Union; let us cherish those hopes which belong to us; let us devote ourselves to those great objects that are fit for our consideration and our action; let us raise our conceptions to the magnitude and the importance of the duties that devolve upon us; let our comprehension be as broad as the country for which we act, our aspirations as high as its certain destiny; let us not be pigmies in a case that calls for men. Never did there devolve on any generation of men higher trusts than now devolve upon us, for the preservation of this Constitution and the harmony and peace of all who are destined to live under it. Let us make our generation one of the strongest and brightest links in that golden chain which is destined, I fondly believe, to grapple the people of all the States to this Constitution for ages to come. We have a great, popular, constitutional government, guarded, by law and by judicature, and defended by the affections of the whole people. No monarchical throne presses these States together, no iron chain of military power encircles them; they live and stand under a government popular in its form, representative in its character, founded upon principles of equality, and so constructed, we hope, as to last forever. In all its history it has been beneficent; it has trodden down no man's liberty; it has crushed no State. Its daily respiration is liberty and patriotism; its yet youthful veins are full of enterprise, courage, and honorable love of glory and renown. Large before, the country has now, by recent events become vastly larger. This republic now extends, with a vast breadth, across the whole continent. The two great seas of the world wash the one and the other shore. We realize, on a mighty scale, the beautiful description of the ornamental border of the buckler of Achilles:—

> "Now, the broad shield complete, the artist crowned
> With his last hand, and poured the ocean round;
> In living silver seemed the waves to roll,
> And beat the buckler's verge, and bound the whole."

TRIBUTE TO MR. CALHOUN.

[*U. S. Senate, April* 1, 1850.]

MR. CALHOUN was calculated to be a leader in whatsoever association of political friends he was thrown. He was a man of undoubted genius and of commanding talent. All the country and all the world admit that. His mind was both perceptive and vigorous. It was clear, quick, and strong.

Sir, the eloquence of Mr. Calhoun, or the manner in which he exhibited his sentiments in public bodies, was part of his intellectual character. It grew out of the qualities of his mind. It was plain, strong, terse, condensed, concise; sometimes impassioned, still always severe. Rejecting ornament, not often seeking far for illustration, his power consisted in the plainness of his propositions, in the closeness of his logic, and in the earnestness and energy of his manner. These are the qualities, as I think, which have enabled him through such a long course of years to speak often, and yet always command attention. His demeanor as a Senator is known to us all, is appreciated, venerated, by us all. No man was more respectful to others; no man carried himself with greater decorum, no man with superior dignity. I think there is not one of us, when he last addressed us from his seat in the Senate, his form still erect, with a voice by no means indicating such a degree of physical weakness as did in fact possess him, with clear tones, and an impressive, and, I may say, an imposing manner, who did not feel that he might imagine that we saw before us a Senator of Rome, while Rome survived.

TRIBUTE TO MR. CALHOUN.—Mr. President, he had the basis, the indispensable basis of all high character; and that was unspotted integrity and unimpeached honor. If he had aspirations, they were high, and honorable, and noble. There was nothing grovelling, or low, or meanly selfish, that came near the head or the heart of Mr. Calhoun. Firm in his purpose, perfectly patriotic and honest, as I am sure he was, in the principles that he espoused, and in the measures that he defended, aside from that large regard for the species of distinction that conducted him to eminent stations for the benefit of the republic, I do not believe he had a selfish motive or selfish feeling. However he may have differed from others of us in his political opinions or his political principles, those principles and those opinions will now descend to posterity under the sanction of a great name.

He has lived long enough, he has done enough and he has done it so well, so successfully, so honorably, as to connect himself for all time with the records of his country. He is now an historical character. Those of us who have known him here will find that he has left upon our minds and our hearts a strong and lasting impression of his person, his character, and his public performances, which, while we live, will never be obliterated. We shall hereafter, I am sure, indulge in it as a grateful recollection, that we have lived in his age, that we have been his contemporaries, that we have seen him, and heard him, and known him. We shall delight to speak of him to those who are rising up to fill our places. And, when the time shall come that we ourselves must go, one after another, to our graves, we shall carry with us a deep sense of his genius and character, his honor and integrity, his amiable deportment in private life, and the purity of his exalted patriotism.

THE COMPROMISE BILL.

[*U. S. Senate, June* 17, 1850.]

SIR, my object is peace. My object is reconciliation. My purpose is, not to make up a case for the North, or to make up a case for the South. My object is not to continue useless and irritating controversies. I am against agitators, North and South. I am against local ideas, North and South, and against all narrow and local contests. I am an American, and I know no locality in America ; that is my country. My heart, my sentiments, my judgment, demand of me that I shall pursue such a course as shall promote the good, and the harmony, and the union of the whole country. This I shall do, God willing, to the end of the chapter.

LAST ILLNESS AND DEATH OF GENERAL TAYLOR.

[*U. S. Senate, July* 9, 10, 1850.]

I SUPPOSE, sir, that no case ever happened, in the very best days of the Roman republic, when a man found himself clothed with the highest authority in the state under circumstances more repelling all suspicion of personal application, of pursuing any crooked path in politics, or of having been actuated by sinister views and purposes, than in the case of the worthy, and eminent, and distinguished, and good man whose death we now deplore.

He has left to the people of his country a legacy in this. He has left them a bright example, which addresses itself with peculiar force to the young and rising generations; for it tells them that there is a path to the highest degree of renown, straight onward, steady, without change or deviation.

He is gone. He is ours no more, except in the force of his example. Sir, I heard with infinite delight the sentiments expressed by my honorable friend from Louisiana who has just resumed his seat, when he earnestly prayed that this event might be used to soften the animosities, to allay party criminations and recriminations, and to restore fellowship and good feeling among the various sections of the Union. Mr. Secretary, great as is our loss to-day, if these inestimable and inappreciable blessings shall have been secured to us even by the death of Zachary Taylor, they have not been purchased at too high a price; and if his spirit, from the regions to which he has ascended, could see these results flowing from his unexpected and untimely end, if he could see that he had entwined a soldier's laurel around a martyr's crown, he could say exultingly, "Happy am I, that by my death I have done more for that country which I loved and served, than I did or could do by all the devotion and all the efforts that I could make in her behalf during the short span of my earthly existence."

Mr. Secretary, great as this calamity is, we mourn not as those without hope. We have seen one eminent man, and another eminent man, and at last a man in the most eminent station, fall away from the midst of us. But I doubt not there is a Power above us exercising over us that parental care that has guarded our progress for so many years. I have confidence still that the place of the departed will be supplied; that the

kind, beneficent favor of Almighty God will still be with us, and that we shall be borne along, and borne upward and upward on the wings of his sustaining providence. May God grant that, in the time that is before us, there may not be wanting to us as wise men, as good men for our counsellors, as he whose funeral obsequies we now propose to celebrate!

THE COMPROMISE MEASURE.

[A Speech delivered in the Senate of the United States, on the 17th of July, 1850, on the Bill reported by the Committee of Thirteen, commonly called "The Compromise Bill."]

TRIBUTE TO GEN. TAYLOR.—The chief magistrate of a great republic died suddenly. Recently elected to that office by the spontaneous voice of his fellow-countrymen, possessing in a high degree their confidence and regard, ere yet he had had a fair opportunity to develop the principles of his civil administration, he fell by the stroke of death. Yet, sir, mixed with the sad thoughts which this event suggests, and the melancholy feeling which spread over the whole country, the real lovers and admirers of our constitutional government, in the midst of their grief and affliction, found something consoling and gratifying. The executive head of a great nation had fallen suddenly; no disturbance arose; no shock was felt in the great and free republic. Credit, public and private, was in no way disturbed, and danger to the community or individuals was nowhere felt. The legislative authority was neither dissolved nor prorogued; nor was there any further interruption or delay in the exercise of the ordinary functions of every branch of the government, than such as was necessary for the indulgence, the proper indulgence, of the grief which afflicted Congress and the country. Sir, for his country General Taylor did not live long enough; but there were circumstances in his death so favorable for his own fame and character, so gratifying to all to whom he was most dear, that he may be said to have died fortunately.

"That life is long which answers life's great end."

A gallant soldier, able and experienced in his profession, he had achieved all that was to be expected by him in that line of duty. Placed at the head of the government, as I have said, by the free voice of the people, he died in the full possession of *the gratitude* of his country. He died in the midst of domestic

affections and domestic happiness. He died in the consciousness of duty performed. He died here, in the midst of the councils of his country; which country, through us, its organs, has bestowed upon him those simple, but grand and imposing rites, which the republic confers on the most distinguished of her sons.

> "Such honors Ilium to her hero paid,
> And peaceful slept the mighty Hector's shade."

He has run the race destined for him by Providence, and he sleeps with the blessings of his countrymen.

THE COMPROMISE BILL.—There are those, (I do not speak, of course, of members of Congress, and I do not desire to be understood as making any allusion whatever, in what I may say, to members of this house or of the other,) there are those in the country who say, on the part of the South, that the South by this bill gives up everything to the North, and that they will fight it to the last; and there are those, on the part of the North, who say, that this bill gives up everything to the South and that they will fight it to the last. And really, sir, strange as it may seem, this disposition to make battle upon the bill, by those who never agreed in anything before under the light of heaven, has created a sort of fellowship and good feeling between them. One says, Give me your hand, my good fellow; you mean to go against this bill to the death, because it gives up the rights of the South; I mean to go against the bill to the death, because it gives up the rights of the North; let us shake hands and cry out, "Down with the bill!" and then unitedly raise the shout,

> "A day, an hour, of virtuous liberty
> Is worth a whole eternity in bondage!"

Such is the consistency of the opposition to this measure.

CONGRESS NOT FREE.—I know, sir, how easily we glide into this habit of following instructions; although I know, also, that members of Congress wish to act conscientiously always, and I believe they wish themselves free from these trammels. But the truth is that under the doctrine of instructions Congress is not free. To the extent to which this doctrine may at any time prevail in it, the two houses are not deliberative bodies. Congress needs a "Wilmot Proviso," much more than the snow-capped mountains of New Mexico or the salt plains of Utah. If the genius of American liberty, or some angel from a higher sphere, could fly over the land with a scroll bearing words, and with power to give effect to those words, and those words *should be.* "*Be* it ordained that neither in the Senate nor in the

House of Representatives in Congress assembled shall there be slavery or involuntary servitude, except for crime," it would be a glorious crowning honor to the Constitution of the United States. O thou spirit of Nathan Dane! How couldst thou take so much pains to set men's limbs free in the Territories, and never deign to add even a proviso in favor of the freedom of opinion and conscience in the halls of Congress!

ACCUSATIONS OF NORTH AND SOUTH.—Accusations made by individuals in the North are attributed by the South to the whole North indiscriminately. On the other hand, extravagant individuals at the South utter objectionable sentiments; and these are bruited all over the North as Southern sentiments, and therefore the South is denounced. In the same way, sentiments springing from the Abolitionists of the North, which no man of character and sense approves, are spread in the South; and the whole North are there charged with being Abolitionists, or tinctured with Abolitionism. Now, one side is just as fair and as true as the other. It is a prejudice of which both sides must rid themselves if they ever mean to come together as brethren, enjoying one renown, one destiny, and expecting one and the same destiny hereafter. If we mean to live together, common prudence should teach us to treat each other with respect.

STATES PERMANENT.—Mr. President, it has always seemed to me to be a grateful reflection, that, however short and transient may be the lives of individuals, states may be permanent. The great corporations that embrace the government of mankind, protect their liberties, and secure their happiness, may have something of perpetuity, and, as I might say, of earthly immortality. For my part, sir, I gratify myself by contemplating what in the future will be the condition of that generous State, which has done me the honor to keep me in the counsels of the country for so many years. I see nothing about her in prospect less than that which encircles her now. I feel that when I, and all those that now hear me, shall have gone to our last home, and afterwards, when mould may have gathered upon our memories, as it will have done upon our tombs, that State, so early to take her part in the great contest of the Revolution, will stand, as she has stood and now stands, like that column which, near her Capitol, perpetuates the memory of the first great battle of the Revolution, firm, erect, and immovable. I believe, sir, that, if commotion shall shake the country, there will be one rock forever, as solid as the granite of her hills, for the Union to repose upon. I believe that, if disasters arise, bringing clouds which *shall obscure the* ensign now over her and over us, there will be *one star that* will but burn the brighter amid the darkness of

that night; and I believe that, if in the remotest ages (I trust they will be infinitely remote) an occasion shall occur when the sternest duties of patriotism are demanded and to be performed, Massachusetts will imitate her own example; and that, as at the breaking out of the Revolution she was the first to offer the outpouring of her blood and her treasure in the struggle for liberty, so she will be hereafter ready, when the emergency arises, to repeat and renew that offer, with a thousand times as many warm hearts, and a thousand times as many strong hands.

And now, Mr. President, to return at last to the principal and important question before us, What are we to do? How are we to bring this emergent and pressing question to an issue and an end? Here have we been seven and a half months, disputing about points which, in my judgment, are of no practical importance to one or the other part of the country. Are we to dwell forever upon a single topic, a single idea? Are we to forget all the purposes for which governments are instituted, and continue everlastingly to dispute about that which is of no essential consequence? I think, sir, the country calls upon us loudly and imperatively to settle this question. I think that the whole world is looking to see whether this great popular government can get through such a crisis. We are the observed of all observers. It is not to be disputed or doubted, that the eyes of all Christendom are upon us. We have stood through many trials. Can we not stand through this, which takes so much the character of a sectional controversy? Can we stand that? There is no inquiring man in all Europe who does not ask himself that question every day, when he reads the intelligence of the morning. Can this country, with one set of interests at the South, and another set of interests at the North, and these interests supposed, but falsely supposed, to be at variance; can this people see what is so evident to the whole world beside, that this Union is their main hope and greatest benefit, and that their interests in every part are entirely compatible? Can they see, and will they feel, that their prosperity, their respectability among the nations of the earth, and their happiness at home, depend upon the maintenance of their Union and their Constitution? That is the question. I agree that local divisions are apt to warp the understandings of men, and to excite a belligerent feeling between section and section. It is natural, in times of irritation, for one part of the country to say, If you do that, I will do this, and so get up a feeling of hostility and defiance. Then comes belligerent legislation, and then an appeal to arms. *The question is*, whether we have the true patriotism, the true

Americanism, necessary to carry us through such a trial. The whole world is looking towards us with extreme anxiety. For myself, I propose, sir, to abide by the principles and the purposes which I have avowed. I shall stand by the Union, and by all who stand by it. I shall do justice to the whole country, according to the best of my ability, in all I say, and act for the good of the whole country in all I do. I mean to stand upon the Constitution. I need no other platform. I shall know but one country. The ends I aim at shall be my country's, my God's, and Truth's. I was born an American: I will live an American; I shall die an American; and I intend to perform the duties incumbent upon me in that character to the end of my career. I mean to do this, with absolute disregard of personal consequences. What are personal consequences? What is the individual man, with all the good or evil that may betide him, in comparison with the good or evil which may befall a great country in a crisis like this, and in the midst of great transactions which concern that country's fate? Let the consequences be what they will, I am careless. No man can suffer too much, and no man can fall too soon, if he suffer or if he fall in defence of the liberties and Constitution of his country.

DEFENCE OF THE KENNISTONS.

[*Supreme Court of Mass., April*, 1817.]

MISERABLE, miserable, indeed, is the reasoning which would infer any man's guilt from his agitation when he found himself accused of a heinous offence; when he saw evidence which he might know to be false and fraudulent brought against him; when his house was filled, from the garret to the cellar, by those whom he might esteem as false witnesses; and when he himself, instead of being at liberty to observe their conduct and watch their motions, was a prisoner in close custody in his own house, with the fists of a catch-poll clenched upon his throat.

THE DARTMOUTH COLLEGE CASE.

[*Remarks in Secret Session of U. S. Senate, Jan.* 24, 1832.]

[Argument before the Supreme Court of the United States at Washington, on the 10th of March, 1818.]

PROPERTY, RIGHT OF INDIVIDUALS TO USE THEIR OWN.—Individuals have a right to use their own property for purposes of benevolence, either towards the public, or towards other individuals. They have a right to exercise this benevolence in such lawful manner as they may choose; and when the government has induced and excited it, by contracting to give perpetuity to the stipulated manner of exercising it, it is not law, but violence, to rescind this contract, and seize on the property. Whether the State will grant these franchises, and under what conditions it will grant them, it decides for itself. But when once granted, the constitution holds them to be sacred, till forfeited for just cause.

LEGISLATURE, POWER OF.—No legislature in this country is able, and may the time never come when it shall, to apply to itself the memorable expression of a Roman pontiff: "*Licet hoc* DE JURE *non possumus, volumus tamen* DE PLENITUDINE POTESTATIS."

The case before the court is not of ordinary importance, nor of every day occurrence. It affects not this college only, but every college, and all the literary institutions of the country. They have flourished hitherto, and have become in a high degree respectable and useful to the community. They have all a common principle of existence, the inviolability of their charters. It will be a dangerous, a most dangerous experiment, to hold thsse institutions subject to the rise and fall of popular parties, and the fluctuations of political opinons. If the franchise may be at any time taken away, or impaired, the property also may be taken away, or its use perverted. Benefactors will have no certainty of effecting the object of their bounty; and learned men will be deterred from devoting themselves to the service of such institutions, from the precarious title of their offices. Colleges and halls will be deserted by all better spirits, and become a theatre for the contentions of politics. Party and faction will be cherished in the places consecrated to piety and learning. These consequences are neither remote nor possible only. They are certain and immediate.

When the court in North Carolina declared the law of the

State, which repealed a grant to its university, unconstitutional and void, the legislature had the candor and the wisdom to repeal the law. This example, so honorable to the State which exhibited it, is most fit to be followed on this occasion. And there is good reason to hope that a State, which has hitherto been so much distinguished for temperate counsels, cautious legislation, and regard to law, will not fail to adopt a course which will accord with her highest and best interests, and in no small degree elevate her reputation.

It was for many and obvious reasons most anxiously desired that the question of the power of the legislature over this charter should have been finally decided in the State court. An earnest hope was entertained that the judges of the court might have viewed the case in a light favorable to the rights of the trustees. That hope has failed. It is here that those rights are now to be maintained, or they are prostrated forever. *Omnia alia perfugia bonorum, subsidia, consilia, auxilia, jura ceciderunt. Quem enim alium appellem? quem obtester? quem implorem? Nisi hoc loco, nisi apud vos, nisi per vos, judices, salutem nostram, quæ spe exigua extremaque pendet, tenuerimus; nihil est præterea quo confugere possimus.*

DEFENCE OF JUDGE JAMES PRESCOTT.

[Argument on the Impeachment of James Prescott, before the Senate of Massachusetts, on the 24th of April, 1821.]

The respondent has as deep a stake, no doubt, in this trial, as he can well have in anything which does not affect life. Regard for reputation, love of honorable character, affection for those who must suffer with him, if he suffers, and who will feel your sentence of conviction, if you should pronounce one, fall on their own heads, as it falls on his, cannot but excite in his breast an anxiety, which nothing could well increase, and nothing but a consciousness of upright intention could enable him to endure. Yet, sir, a few years will carry him far beyond the reach of the consequences of trial. Those same years will bear away, also, in their rapid flight, those who prosecute and those who judge him. But the community remains. The Commonwealth, we trust, will be perpetual. She is yet in her youth, as a free and independent State, and, by analogy to the life of individuals, may be said to be in that period of her existence when principles of action are adopted and character is formed. The honorable

respondent will not be the principal sufferer, if he should here fall a victim to charges of undefined and undefinable offences, to loose notions of constitutional law, or novel rules of evidence. By the nature of moral retribution, the evil of such a course would fall most heavily on the State which should pursue it, by shaking its character for justice, and impairing its principles of constitutional liberty. This, sir, is the first interesting and important impeachment which has arisen under the constitution of the Commonwealth. The decision now to be made cannot but affect subsequent cases. Governments necessarily are more or less regardful of precedents, on interesting public trials, and as, on the present occasion, all who act any part here have naturally considered what has been done and what rules and principles have governed, in similar cases, in other communities, so those who shall come after us will look back to this trial. And I most devoutly hope they may be able to regard it as a safe and useful example, fit to instruct and guide them in their own duty; an example full of wisdom and of moderation; an example of cautious and temperate justice; an example of law and principle successfully opposed to temporary excitement; an example indicating in all those who bear a leading part in the proceedings a spirit fitted for a judicial trial, and proper for men who act with an enlightened and firm regard to the permanent interests of public constitutional liberty. To preserve the respondent in the office which he fills, or to deprive him of it, may be an object of little interest to the public. But on what principles he is to be so preserved or deprived is an inquiry in the highest degree important, and in which the public has a deep and lasting interest.

ACTS OF A PUBLIC OFFICER.—What a public officer does can be proved; but the mere manner in which he does it, every word he may say, every gesture he may make, cannot ordinarily be proved; and when a witness comes forth who pretends to remember them, whether he speaks truth or falsehood, it is most difficult to contradict him. It is in such a case, therefore, that a prejudiced witness should be received with the utmost caution and distrust.

TESTIMONY, SUPPRESSED FOR YEARS.—Let me ask, sir, what a grand jury would say to a prosecutor, who, with the full knowledge of all the facts, should have slept over a supposed injury for six years, and should then come forward to prefer an indictment? What would they say especially if they found him apparently stimulated by recent resentment, and prosecuting, for one supposed ancient injury, with the heat and passion excited by another supposed recent injury? Sir, they would justly look on his evidence with suspicion, and would undoubtedly

throw out his bill. Justice would demand it; and in my humble opinion justice demands nothing less on the present occasion.

But, sir, there is one rule of a more positive nature, which I think applicable to the case; and that is, that a witness detected in one misrepresentation is to be credited in nothing. This rule is obviously founded in the plainest reason, and it would be totally unsafe to disregard it.

IMPORTANCE OF JUST JUDGMENT.—Mr. President, the case is closed! The fate of the respondent is in your hands. It is for you now to say, whether, from the law and the facts as they have appeared before you, you will proceed to disgrace and disfranchise him. If your duty calls on you to convict him, let justice be done, and convict him; but, I adjure you, let it be a clear, undoubted case. Let it be so for his sake, for you are robbing him of that for which, with all your high powers, you can yield him no compensation; let it be so for your own sakes, for the responsibility of this day's judgment is one which you must carry with you through life. For myself, I am willing here to relinquish the character of an advocate, and to express opinions by which I am prepared to be bound as a citizen and a man. And I say upon my honor and conscience, that I see not how, with the law and constitution for your guides, you can pronounce the respondent guilty. I declare that I have seen no case of wilful and corrupt official misconduct, set forth according to the requisitions of the constitution, and proved according to the common rules of evidence. I see many things imprudent and ill-judged; many things that I could wish had been otherwise; but corruption and crime I do not see.

Sir, the prejudices of the day will soon be forgotten; the passions, if any there be, which have excited or favored this prosecution will subside; but the consequence of the judgment you are about to render will outlive both them and you. The respondent is now brought, a single, unprotected individual, to this formidable bar of judgment, to stand against the power and authority of the State. I know you can crush him, as he stands before you, and clothed as you are with the sovereignty of the State. You have the power "to change his countenance and to send him away." Nor do I remind you, that your judgment is to be rejudged by the community; and, as you have summoned him for trial to this high tribunal, that you are soon to descend yourselves from these seats of justice, and stand before the higher tribunal of the world. I would not fail so much in respect to this honorable court as to hint that it could pronounce a sentence which the community will reverse. No, sir, it is not the world's revision which I would call on you to regard; but that of your

own consciences, when years have gone by and you shall look back on the sentence you are about to render. If you send away the respondent, condemned and sentenced, from your bar, you are yet to meet him in the world on which you cast him out. You will be called to behold him a disgrace to his family, a sorrow and shame to his children, a living fountain of grief and agony to himself.

If you shall then be able to behold him only as an unjust judge, whom vengeance has overtaken and justice has blasted, you will be able to look upon him, not without pity, but yet without remorse. But if, on the other hand, you shall see, whenever and wherever you meet him, a victim of prejudice or of passion, a sacrifice to a transient excitement; if you shall see in him a man for whose condemnation any provision of the constitution has been violated or any principle of law broken down, then will he be able, humble and low as may be his condition, then will he be able to turn the current of compassion backward, and to look with pity on those who have been his judges. If you are about to visit this respondent with a judgment which shall blast his house; if the bosoms of the innocent and the amiable are to be made bleed under your infliction, I beseech you to be able to state clear and strong grounds for your proceeding. Prejudice and excitement are transitory, and will pass away. Political expediency, in matters of judicature, is a false and hollow principle, and will never satisfy the conscience of him who is fearful that he may have given a hasty judgment. I earnestly entreat you, for your own sakes, to possess yourselves of solid reasons, founded in truth and justice, for the judgment you pronounce, which you can carry with you till you go down into your graves; reasons which will require no argument to revive, no sophistry, no excitement, no regard to popular favor, to render satisfactory to your consciences; reasons which you can appeal to in every crisis of your lives, and which shall be able to assure you, in your own great extremity, that you have not judged a fellow-creature without mercy.

Sir, I have done with the case of this individual, and now leave it in your hands. But I would yet once more appeal to you as public men; as statesmen; as men of enlightened minds, capable of a large view of things, and of foreseeing the remote consequences of important transactions; and, as such, I would most earnestly implore you to consider fully of the judgment you may pronounce. You are about to give a construction to constitutional provisions which may adhere to that instrument for ages, either for good or evil. I may perhaps overrate the importance of this occasion to the public welfare; but I confess it does ap-

pear to me that, if this body give its sanction to some of the principles which have been advanced on this occasion, then there is a power in the State above the constitution and the law; a power essentially arbitrary and despotic, the exercise of which may be most dangerous. If impeachment be not under the rule of the constitution and the laws, then may we tremble, not only for those who may be impeached, but for all others. If the full benefit of every constitutional provision be not extended to the respondent, his case becomes the case of all the people of the Commonwealth. The constitution is their constitution. They have made it for their own protection, and for his among the rest. They are not eager for his conviction. They desire not his ruin. If he be condemned without having his offences set forth in the manner which they, by their constitution, have prescribed, and in the manner which they, by their laws, have ordained, then not only is he condemned unjustly, but the rights of the whole people are disregarded. For the sake of the people themselves, therefore, I would resist all attempts to convict by straining the laws or getting over their prohibitions. I hold up before him the broad shield of the constitution; if through that he be pierced and fall, he will be but one sufferer in a common catastrophe.

THE CASE OF GIBBONS AND OGDEN.

[*Supreme Court, U. S., Feb.*, 1824.]

POWER OF CONGRESS TO REGULATE COMMERCE.—I shall contend that the power of Congress to regulate commerce is complete and entire, and, to a certain extent, necessarily exclusive; that the acts in question are regulations of commerce, in a most important particular, affecting it in those respects in which it is under the exclusive authority of Congress. I state this first proposition guardedly. I do not mean to say, that all regulations which may, in their operation, affect commerce, are exclusively in the power of Congress; but that such power as has been exercised in this case does not remain with the States. Nothing is more complex than commerce; and in such an age as this, no words embrace a wider field than *commercial regulation.* Almost all the business and intercourse of life may be connected incidentally, more or less, with commercial regulations.

UNIFORM SYSTEM OF COMMERCE.—I contend, therefore, that

the people intended, in establishing the Constitution, to transfer from the several States to a general government those high and important powers over commerce, which, in their exercise, were to maintain a uniform and general system. From the very nature of the case, these powers must be exclusive ; that is, the higher branches of commercial regulation must be exclusively committed to a single hand. What is it that is to be regulated? Not the commerce of the several States, respectively, but the commerce of the United States. Henceforth, the commerce of the States was to be a *unit*; and the system by which it was to exist and be governed must necessarily be complete, entire, and uniform. Its character was to be described in the flag which waved over it, E PLURIBUS UNUM.

THE CASE OF OGDEN AND SAUNDERS.

[*Supreme Court, U. S., Jan.*, 1827.]

THE CONSTITUTION, TO ACCOMPLISH GREAT POLITICAL OBJECT.—The Constitution was intended to accomplish a great political object. Its design was not so much to prevent injustice or injury in one case, or in successive single cases, as it was to make general salutary provisions, which, in their operation, should give security to all contracts, stability to credit, uniformity among all the States in those things which materially concern the foreign commerce of the country, and their own credit, trade, and intercourse with each other. The real question is, therefore, a much broader one than has been argued. It is this : Whether the Constitution has not, for general political purposes, ordained that bankrupt laws should be established only by national authority? We contend that such was the intention of the Constitution; an intention, as we think, plainly manifested in several of its positions.

COMMERCE, CREDIT, AND CONFIDENCE.—Commerce, credit, and confidence were the principle things which did not exist under the old Confederation, and which it was a main object of the present Constitution to create and establish. A vicious system of legislation, a system of paper money and tender laws, had completely paralyzed industry, threatened to beggar every man of property, and ultimately to ruin the country. The relation between debtor and creditor, always delicate, and always dangerous whenever it divides society, and draws out the respective parties into different ranks and classes, was in such a con-

dition in the years 1787, 1788, and 1789, as to threaten the o throw of all government; and a revolution was menaced, m more critical and alarming than that through which the cour had recently passed. The object of the new Constitution wa arrest these evils; to awaken industry by giving securit property; to establish confidence, credit, and commerce, salutary laws, to be enforced by the power of the whole c munity. The Revolutionary War was over, the country peace, but little domestic tranquillity; it had liberty, but fe its enjoyments, and none of its security. The States had st gled together, but their union was imperfect. They had f dom, but not an established course of justice. The Cor tution was therefore framed, as it professes, "to forn more perfect union, to establish justice, to secure blessings of liberty, and to insure domestic tranquillity."

ONE UNIFORM MEDIUM OF PAYMENT.—To recapitulate w has been said, we maintain, first, that the Constitution, b grants to Congress and its prohibitions on the States, sought to establish one uniform standard of value, or mediun payment. Second, that, by like means, it has endeavored provide for one uniform mode of discharging debts, when t are to be discharged without payment. Third, that these obj are connected, and that the first loses much of its importa if the last, also, be not accomplished. Fourth, that, reading grant to Congress and the prohibition on the States toget the inference is strong that the Constitution intended to cor an exclusive power to pass bankrupt laws on Congress. Fi that the prohibition in the tenth section reaches to all contra existing or future, in the same way that the other prohibitio the same section extends to all debts existing or future. Sixt that, upon any other construction, one great political objec the Constitution will fail of its accomplishment.

THE MURDER OF CAPTAIN JOSEPH WHITE.

[*April*, 1830.]

He has done the murder. No eye has seen him, no ear has heard him. The secret is his own, and it is safe!

Ah! gentlemen, that was a dreadful mistake. Such a secret can be safe nowhere. The whole creation of God has neither nook nor corner where the guilty can bestow it, and say it is safe. Not to speak of that eye which pierces through all disguises, and beholds everything as in the splendor of noon, such secrets of guilt are never safe from detection, even by men. True it is, generally speaking, that "murder will out." True it is, that Providence hath so ordained, and doth so govern things, that those who break the great law of Heaven by shedding man's blood seldom succeed in avoiding discovery. Especially, in a case exciting so much attention as this, discovery must come, and will come, sooner or later. A thousand eyes turn at once to explore every man, every thing, every circumstance, connected with the time and place; a thousand ears catch every whisper; a thousand excited minds intensely dwell on the scene, shedding all their light, and ready to kindle the slightest circumstance into a blaze of discovery. Meantime the guilty soul cannot keep its own secret. It is false to itself; or rather it feels an irresistible impulse of conscience to be true to itself. It labors under its guilty possession, and knows not what to do with it. The human heart was not made for the residence of such an inhabitant. It finds itself preyed on by a torment, which it dares not acknowledge to God or man. A vulture is devouring it, and it can ask no sympathy or assistance, either from heaven or earth. The secret which the murderer possesses soon comes to possess him; and, like the evil spirits of which we read, it overcomes him, and leads him whithersoever it will. He feels it beating at his heart, rising to his throat, and demanding disclosure. He thinks the whole world sees it in his face, reads it in his eyes, and almost hears its workings in the very silence of his thoughts. It has become his master. It betrays his discretion, it breaks down his courage, it conquers his prudence. When suspicions from without begin to embarrass him, and the net of circumstance to entangle him, the fatal secret struggles with still greater violence to burst forth. It must be confessed, it will be confessed; there is no refuge from confession but suicide, and suicide is confession.

EXTRAORDINARY GUILT.—Such is human nature, that some persons lose their abhorrence of crime in their admiration of its magnificent exhibitions. Ordinary vice is reprobated by them, but extraordinary guilt, exquisite wickedness, the high flights and poetry of crime, seize on the imagination, and lead them to forget the depths of the guilt, in admiration of the excellence of the performance, or the unequalled atrocity of the purpose. There are those in our day who have made great use of this infirmity of our nature, and by means of it done infinite injury to the cause of good morals. They have affected not only the taste, but I fear also the principles, of the young, the heedless, and the imaginative, by the exhibition of interesting and beautiful monsters. They render depravity attractive, sometimes by the polish of its manners, and sometimes by its very extravagance; and study to show off crime under all the advantages of cleverness and dexterity.

THE CRIMINAL LAW.—The criminal law is founded in a principle of vengeance. It does not punish that it may inflict suffering. The humanity of the law feels and regrets every pain it causes, every hour of restraint it imposes, and more deeply still every life it forfeits. But it uses evil as the means of preventing greater evil. It seeks to deter from crime by the example of punishment. This is its true, and only true main object. It restrains the liberty of the few offenders, that the many who do not offend may enjoy their liberty. It takes the life of the murderer, that other murders may not be committed. The law might open the jails, and at once set free all persons accused of offences, and it ought to do so if it could be made certain that no other offences would hereafter be committed; because it punishes, not to satisfy any desire to inflict pain, but simply to prevent the repetition of crimes. When the guilty, therefore, are not punished, the law has so far failed of its purpose; the safety of the innocent is so far endangered. Every unpunished murder takes away something from the security of every man's life. Whenever a jury, through whimsical and ill-founded scruples, suffer the guilty to escape, they make themselves answerable for the augmented danger of the innocent.

TRUTH IS TRUTH.—Truth is truth, come whence it may.

THE DESTINY OF CRIME.—Mark the destiny of crime. It is ever obliged to resort to such subterfuges; it trembles in the broad light; it betrays itself in seeking concealment. He alone walks safely who walks uprightly.

THE DISCHARGE OF DUTY.—Gentlemen, your whole concern *should be to* do your duty, and leave consequences to take care *of themselves*. You will receive the law from the court. Your

verdict, it is true, may endanger the prisoner's life, but then it is to save other lives. If the prisoner's guilt has been shown and proved beyond all reasonable doubt, you will convict him. If such reasonable doubts of guilt still remain, you will acquit him. You are the judges of the whole case. You owe a duty to the public, as well as to the prisoner at the bar. You cannot presume to be wiser than the law. Your duty is a plain straightforward one. Doubtless we would all judge him in mercy. Towards him, as an individual, the law inculcates no hostility; but towards him, if proved to be a murderer, the law, and the oaths you have taken, and public justice, demand that you do your duty.

With consciences satisfied with the discharge of duty, no consequences can harm you. There is no evil that we cannot either face or fly from, but the consciousness of duty disregarded. A sense of duty pursues us ever. It is omnipresent, like the Deity. If we take to ourselves the wings of the morning, and dwell in the uttermost parts of the sea, duty performed, or duty violated, is still with us, for our happiness or our misery. If we say the darkness shall cover us, in the darkness as in the light our obligations are yet with us. We cannot escape their power, nor fly from their presence. They are with us in this life, will be with us at its close; and in that scene of inconceivable solemnity, which lies yet farther onward, we shall still find ourselves surrounded by the consciousness of duty, to pain us wherever it has been violated, and to console us so far as God may have given us grace to perform it.

THE BANK OF THE UNITED STATES AGAINST WILLIAM D. PRIMROSE.

[*Supreme Court, U. S., Feb.* 9, 1839.]

MECANIQUE POLITIQUE.—We have no second Laplace, and we never shall have, with his *Mécanique Politique*, able to define and describe the orbit of each sphere in our political system with such exact mathematical precision. There is no such thing as arranging these governments of ours by the laws of gravitation so that they will be sure to go on forever without impinging.

WHAT IS BANKING?—I now beg to ask the particular attention of the court to this question: WHAT IS BANKING?

Alabama, in reference to banking, has done nothing but establish a bank, and give it the usual banking powers. And

when the learned counsel on the other side speak of *banking*, what do they mean by it? A bank deals in exchange, and it buys or builds houses also; so do individuals. If there be any thing peculiar in these acts by a bank, it must be, not in the nature of the acts individually, but in the aggregate of the whole. What constitutes banking must be something peculiar. There are various acts of legislation by different States in this country, for granting or preventing the exercise of banking privileges. But has any law ever been passed to authorize or to prevent the buying by an individual of a bill of exchange? No one has ever heard of such a thing. The laws to restrain banking have all been directed to one end; that is, to repress the unauthorized circulation of paper money. There are various other functions performed by banks; but, in discharging all these, they only do what unincorporated individuals do. What is that, then, without which any institution is not a bank, and with which it is a bank? It is a power to issue promissory notes with a view to their circulation as money.

THE CHRISTIAN MINISTRY AND THE RELIGIOUS INSTRUCTION OF THE YOUNG.

[A Speech delivered in the Supreme Court at Washington, on the 20th of February, 1844, in the case of François Fénelon Vidal, John F. Girard, and others, Complainants and Appellants, against The Mayor, Aldermen, and Citizens of Philadelphia, the Executors of Stephen Girard, and others, Defendants.]

BODY OF CLERGYMEN.—I hope that our learned men have done something for the honor of our literature abroad. I hope that the courts of justice and members of the bar of this country have done something to elevate the character of the profession of the law. I hope that the discussions above (in Congress) have done something to meliorate the condition of the human race, to secure and extend the great charter of human rights, and to strengthen and advance the great principles of human liberty. But I contend that no literary efforts, no adjudications, no constitutional, discussions, nothing that has been done or said in favor of the great interests of universal man, has done this country more credit, at home and abroad, than the establishment of our body of clergymen, their support by voluntary contributions, and the general excellence of their character for piety *and learning.*

Did a man ever live that had a respect for the Christian religion, and yet had no regard for *any one* of its ministers? Did that system of instruction ever exist, which denounced the whole body of Christian teachers, and yet called itself a system of Christianity?

INSTITUTION OF INSTRUCTION DISOWNING CHRISTIANITY.—I maintain, that, in any institution for the instruction of youth, where the authority of God is disowned, and the duties of Christianity derided and despised, and its ministers shut out from all participation in its proceedings, there can no more be charity, true charity, found to exist, than evil can spring out of the Bible, error out of truth, or hatred and animosity come forth from the bosom of perfect love. No, sir! No, sir! If charity denies its birth and parentage, if it turns infidel to the great doctrines of the Christian religion, if it turns unbeliever, it is no longer charity! There is no longer charity, either in a Christian sense or in the sense of jurisprudence; for it separates itself from the fountain of its own creation.

I will not say that there may not be a charity for instruction, in which there is no positive provision for the Christian religion. But I do say, and do insist, that there is no such thing in the history of religion, no such thing in the history of human law, as a charity, a school of instruction for children, from which the Christian religion and Christian teachers are excluded, as unsafe and unworthy intruders. Such a scheme is deprived of that which enters into the very essence of human benevolence, when that benevolence contemplates instruction, that is to say, religious knowledge, connected with human knowledge. It is this which causes it to be regarded as a charity; and by reason of this it is entitled to the special favor of the courts of law.

THE EARLIEST INTELLECTUAL WANT.—The earliest and the most urgent intellectual want of human nature is the knowledge of its origin, its duty, and its destiny. "Whence am I, what am I, and what is before me?" This is the cry of the human soul, so soon as it raises its contemplation above visible, material things.

When an intellectual being finds himself on this earth, as soon as the faculties of reason operate, one of the first inquiries of his mind is, "Shall I be here always?" "Shall I live here forever?" And reasoning from what he sees daily occuring to others, he learns to a certainty that his state of being must one day be changed. I do not mean to deny, that it may be true that he is created with this consciousness; but whether it be consciousness, or the result of his reasoning faculties, man soon learns that he must die. And of all sentient beings, he alone,

so far as we can judge, attains to this knowledge. His Maker has made him capable of learning this. Before he knows his origin and destiny, he knows that he is to die. Then comes that most urgent and solemn demand for light that ever proceeded, or can proceed, from the profound and anxious broodings of the human soul. It is stated, with wonderful force and beauty, in that incomparable composition, the book of Job: "For there is hope of a tree, if it be cut down, that it will sprout again, and that the tender branch thereof will not cease; that, through the scent of water, it will bud, and bring forth boughs like a plant. *But if a man die, shall he live again?*" And that question nothing but God, and the religion of God, can solve. Religion does solve it, and teaches every man that he is to live again, and that the duties of this life have reference to the life which is to come. And hence, since the introduction of Christianity, it has been the duty, as it has been the effort, of the great and the good, to sanctify human knowledge, to bring it to the fount, and to baptize learning into Christianity; to gather up all its productions, its earliest and its latest, its blossoms and its fruits, and lay them all upon the altar of religion and virtue.

INFIDEL ARGUMENT.—But this objection to the multitude and differences of sects is but the old story, the old infidel argument. It is notorious that there are certain great religious truths which are admitted and believed by all Christians. All believe in the existence of a God. All believe in the immortality of the soul. All believe in the responsibility, in another world, for our conduct in this. All believe in the divine authority of the New Testament. Dr. Paley says that a single word from the New Testament shuts up the mouth of human questioning, and excludes all human reasoning. And cannot all these great truths be taught to children without their minds being perplexed with clashing doctrines and sectarian controversies? Most certainly they can.

And, to compare secular with religious matters, what would become of the organization of society, what would become of man as a social being, in connection with the social system, if we applied this mode of reasoning to him in his social relations? We have a constitutional government, about the powers, and limitations, and uses of which there is a vast amount of differences of belief. Your honors have a body of laws, now before you, in relation to which differences of opinion, almost innumerable, are daily spread before the courts; in all these we see clashing doctrines and opinions advanced daily, to as great *an extent as in* the religious world,

MEETING OF FIRST CONGRESS.—At the meeting of the first Congress there was a doubt in the minds of many of the propriety of opening the session with prayer; and the reason assigned was, as here, the great diversity of opinion and religious belief. At length Mr. Samuel Adams, with his gray hairs hanging about his shoulders, and with an impressive venerableness now seldom to be met with (I suppose owing to the difference of habits), rose in that assembly, and, with the air of a perfect Puritan, said that it did not become men, professing to be Christian men, who had come together for solemn deliberation in the hour of their extremity, to say that there was so wide a difference in their religious belief, that they could not, as one man, bow the knee in prayer to the Almighty, whose advice and assistance they hoped to obtain. Independent as he was, and an enemy to all prelacy as he was known to be, he moved that the Rev. Mr. Duché, of the Episcopal Church, should address the Throne of Grace in prayer. And John Adams, in a letter to his wife, says that he never saw a more moving spectacle. Mr. Duché read the Episcopal service of the Church of England, and then, as if moved by the occasion, he broke out into extemporaneous prayer. And those men, who were then about to resort to force to obtain their rights, were moved to tears; and floods of tears, Mr. Adams says, ran down the cheeks of the pacific Quakers who formed part of that most interesting assembly. Depend upon it, where there is a spirit of Christianity, there is a spirit which rises above forms, above ceremonies, independent of sect or creed, and the controversies of clashing doctrines.

THOSE WHO VALUE CHRISTIANITY.—Those who really value Christianity, and believe in its importance, not only to the spiritual welfare of man, but to the safety and prosperity of human society, rejoice that in its revelations and its teachings there is so much which mounts above controversy, and stands on universal acknowledgment. While many things about it are disputed or are dark, they still plainly see its foundation, and its main pillars; and they behold in it a sacred structure, rising up to the heavens. They wish its general principles, and all its great truths, to be spread over the whole earth. But those who do not value Christianity, nor believe in its importance to society or individuals, cavil about sects and schisms, and ring monotonous changes upon the shallow and so often refuted objections founded on alleged variety of discordant creeds and clashing doctrines.

NO RELIGION TILL EIGHTEEN.—*No religion till he is eighteen!* What would be the condition of all our families, of all our children, *if religious* fathers and religious mothers were to teach

their sons and daughters no religious tenets till they were eighteen? What would become of their morals, their character, their purity of heart and life, their hope for time and eternity? What would become of all those thousand ties of sweetness, benevolence, love, and Christian feeling, that now render our young men and young maidens like comely plants growing up by a streamlet's side; the graces and the grace of opening manhood, of blossoming womanhood? What would become of all that now renders the social circle lovely and beloved? What would become of society itself? How could it exist? And is that to be considered a charity which strikes at the root of all this; which subverts all the excellence and the charms of social life; which tends to destroy the very foundation and framework of society, both in its practices and in its opinions; which subverts the whole decency, the whole morality, as well as the whole Christianity and government, of society? No, sir! no, sir!

CHRISTIANITY, PART OF THE LAW OF THE LAND.—The general principles and public policy are sometimes established by constitutional provisions, sometimes by legislative enactments, sometimes by judicial decisions, and sometimes by general consent. But however they may be established, there is nothing that we look for with more certainty than this general principle, that Christianity is part of the law of the land. This was the case among the Puritans of New England, the Episcopalians of the Southern States, the Pennsylvania Quakers the Baptists, the mass of the followers of Whitefield and Wesley, and the Presbyterians; all brought and all adopted this great truth, and all have sustained it. And where there is any religious sentiment amongst men at all, this sentiment incorporates itself with the law. *Every thing declares it.* The massive cathedral of the Catholic; the Episcopalian church, with its lofty spire pointing heavenward; the plain temple of the Quaker; the log church of the hardy pioneer of the wilderness; the mementoes and memorials around and about us; the consecrated graveyards, their tombstones and epitaphs, their silent vaults, their mouldering contents; all attest it. *The dead prove it as well as the living.* The generation that are gone before speak to it, and pronounce it from the tomb. We feel it. All, all, proclaim that Christianity, general, tolerant Christianity, Christianity independent of sects and parties, that Christianity to which the sword and the fagot are unknown, general, tolerant Christianity, is the law of the land.

THE RHODE ISLAND GOVERNMENT.

[*Supreme Court, U. S., Jan. 27, 1848.*]

CERTAIN PRINCIPLES OF PUBLIC LIBERTY.—Now, there are certain principles of public liberty, which, though they do not exist in all forms of government, exist, nevertheless, to some extent in different forms of government. The protection of life and property, the *habeas corpus*, trial by jury, the right of open trial, these are principles of public liberty existing in their best form in the republican institutions of this country, but, to the extent mentioned, existing also in the constitution of England. Our American liberty, allow me to say, therefore, has an ancestry, a pedigree, a history. Our ancestors brought to this continent all that was valuable, in their judgment, in the political institutions of England, and left behind them all that was without value, or that was objectionable. During the colonial period they were closely connected of course with the colonial system; but they were Englishmen, as well as colonists, and took an interest in whatever concerned the mother country, especially in all great questions of public liberty in that country.

THE PEOPLE, SOURCE OF POLITICAL POWER.—First and chief, no man makes a question, that the people are the source of all political power. Government is instituted for their good, and its members are their agents and servants.

POWER WITH THE PEOPLE.—The power is with the people; but they cannot exercise it in masses or *per capita;* they can only exercise it by their representatives. The whole system with us has been popular from the beginning.

Now, the basis of this representation is suffrage. The right to choose representatives is every man's part in the exercise of sovereign power; to have a voice in it, if he has the proper qualifications, is the portion of political power belonging to every elector. That is the beginning. That is the mode in which power emanates from its source, and gets into the hands of conventions, legislatures, courts of law, and the chair of the executive. It begins in suffrage. Suffrage is the delegation of the power of an individual to some agent.

This being so, then follow two other great principles of the American system.

1. The first is, that the right of suffrage shall be guarded, protected, and secured against force and against fraud; and,

2. The second is, that its exercise shall be prescribed by pre-

vious law; its qualifications shall be prescribed by previous law; the time and place of its exercise shall be prescribed by previous law; the manner of its exercise, under whose supervision (always sworn officers of the law), is to be prescribed. And then, again, the results are to be certified to the central power by some certain rule, by some known public officers, in some clear and definite form, to the end that two things may be done: first, that every man entitled to vote may vote; second, that his vote may be sent forward and counted, and so he may exercise his part of sovereignty, in common with his fellow-citizens.

REGULAR ACTION OF POPULAR POWER.—The regular action of popular power, on the other hand, places upon public liberty the most beautiful face that ever adorned that angel form. All is regular and harmonious in its features, and gentle in its operation. The stream of public authority, under American liberty, running in this channel, has the strength of the Missouri, while its waters are as transparent as those of a crystal lake. It is powerful for good. It produces no tumult, no violence, and no wrong;

> "Though deep, yet clear; though gentle, yet not dull;
> Strong, without rage; without o'erflowing, full."

CONSTITUTIONAL MEANS OF SECURITY.—The long-seeing sagacity of our fathers enables us to know equally well where we are, when we hear the voices of tumultuary assemblies, and see the turbulence created by numbers meeting and acting without the restraints of law; and has most wisely provided constitutional means of escape and security. When the established authority of government is openly contemned; when no deference is paid to the regular and authentic declarations of the public will; when assembled masses put themselves above the law, and, calling themselves the people, attempt by force to seize on the government; when the social and political order of the state is thus threatened with overthrow, and the spray of the waves of violent popular commotion lashes the stars, our political pilots may well cry out:

> "Nimirum hæc illa Charybdis!"

The prudence of the country, the sober wisdom of the people, has thus far enabled us to carry this Constitution, and all our constitutions, through the perils which have surrounded them, without running upon the rocks on one side, or being swallowed up in the eddying whirlpools of the other. And I fervently hope *bat this signal* happiness and good fortune will continue, and

that our children after us will exercise a similar prudence, and wisdom, and justice ; and that, under the Divine blessing, our system of free government may continue to go on, with equal prosperity, to the end of time.

EXCESSES AT NEW ORLEANS.

[*Nov.* 7, 1851.]

THE assembling of mobs happens in all countries; popular violences occasionally break out everywhere, setting law at defiance, trampling on the rights of citizens and private men, and sometimes on those of public officers, and the agents of foreign governments, especially entitled to protection. In these cases the public faith and national honor require, not only that such outrages should be disavowed, but also that the perpetrators of them should be punished wherever it is possible to bring them to justice: and, further, that full satisfaction should be made, in cases in which a duty to that effect rests with the government, according to the general principles of law, public faith, and the obligation of treaties.

THE CASE OF THRASHER.

[*Dec.* 1851.]

Every foreigner born, residing in a country, owes to that country allegiance and obedience to its laws so long as he remains in it, as a duty imposed upon him by the mere fact of his residence, and the temporary protection which he enjoys, and is as much bound to obey its laws as native subjects or citizens.

MISCELLANEOUS LETTERS.

To the Rev. Louis Dwight, Secretary of the Prison Discipline Society.

IMPRISONMENT FOR DEBT.—You ask what I think of imprisonment for debt in any case, where there is no evidence of fraud. Certainly I am of opinion that there should be no imprisonment for debt, either in contracting the debt or in omitting to pay it. But then it seems to me, that, when a man does not fulfil a lawful promise, he ought to show his inability, and to show also that

his own conduct has been fair and honest. He ought not to be allowed merely to *say* he cannot pay, and then to call on the creditor to *prove* that his inability is pretended or fraudulent. He ought to show why he does not and cannot fulfil his contract, and to give reasonable evidence that he has not acted fraudulently; and, this being done, his person ought to be held no longer. In the first place, the creditor is entitled to the oath of his debtor, and, in the next place, to satisfactory explanation of any suspicious circumstances.

You are pleased to ask, whether, in my judgment, Christians can, with a good conscience, imprison, either other Christians, or infidels. He would be very little of a Christian, I think, who should make a difference, in such a case, and be willing to use a degree of severity towards Jew or Greek which he would not use towards one of his own faith.

TO HIS POLITICAL FRIENDS IN NEW HAMPSHIRE.

THE OFFICE OF PRESIDENT.—The office of President is an office, the importance of which cannot be too highly estimated. He who fills it necessarily exercises a great influence, not only on all the domestic interests of the country, on its foreign relations, and the support of its honor and character among the nations of the earth, but on that which is of the very highest import to the happiness of the people, the maintenance of the Constitution itself, and the prosperous continuance of the government under it.

THE CONSTITUTION, MADE FOR GOOD OF COUNTRY.—The Constitution was made for the good of the country; this the people know. Its faithful administration promotes that good; this the people know. The people will themselves defend it against all foreign powers, and all open force, and they will rightfully hold to a just and solemn account those to whom they may commit it, and in whose hands it shall be found to be shorn of a single beam of its honor, or deprived of a particle of its capacity for usefulness. It was made for an honest people, and they expect it to be honestly administered.

TO CITIZENS OF NEWBURYPORT, MASS.

STEADINESS OF PRINCIPLE.—Firmness, steadiness of principle, a just moderation, and unconquerable perseverance, are the virtues the practice of which is most likely to correct whatever is wrong in the constitution of the social system.

TO CITIZENS ON THE KENNEBEC RIVER.

LOVE OF THE UNION.—Wherever there is a truly American heart, the love of the Union is entwined with its inmost fibres. It is our duty to encourage and applaud this popular feeling; to respect it ourselves, and to take care that, by no denial of justice, by no unnecessary discussion of exciting but abstract questions, by no threat or menace *to interfere with what does not belong to us*, we weaken that attachment to the Union which is so indispensable to the happiness of all.

TO HIS NEW HAMPSHIRE NEIGHBORS.

THE CONSTITUTION, DEFENCE OF.—Who then would undermine this Union? Who would raise his hand against this Constitution? Who would scoff at those political and social blessings which Providence has never before seen fit to vouchsafe, in such abundance, to any community of men? Self-love, our hopes for the future, national pride, and gratitude to God, all conspire to prompt us to embrace these institutions of our native land with all the affections of our hearts, and to defend them with all the strength of our hands. In a critical hour, and not without some personal hazard, I have discharged my duty, and freed my conscience, to its very depth, in public efforts to maintain them, limited only by the measure of my ability. And since these efforts are regarded as having contributed something to the adjustment of dangerous controversies, and to the establishment of peace and harmony among fellow-citizens and brothers, I desire no reward but the cheering voices of good men and the approbation of my own conscience.

TO CITIZENS OF STAUNTON, VIRGINIA.

CONSCIENCE IN OPPOSITION TO LAW.—No man is at liberty to set up, or affect to set up, his own conscience as above the law, in a matter which respects the rights of others, and the obligations, civil, social and political, due to others from him. Such a pretence saps the foundation of all government, and is of itself a perfect absurdity; and while all are bound to yield obedience to the laws, wise and well-disposed citizens will forbear from renewing past agitation, and rekindling the flames of useless and dangerous controversy.

TO CITIZENS OF WESTCHESTER, NEW YORK.

THE BIRTHDAY OF WASHINGTON.—Citizens of Westchester! Citizens of the State of New York! The voices of your own illustrious dead cry to you from the ground. They who are in their graves beseech you, as you respect their names and memories, as you love liberty, as you value your own happiness, as you regard the hopes of your children, to hold on with unflinching firmness to the Constitution and to the union of the States; and, as if with lips still living, they conjure you, in tones of indignation, to reject all such ideas as that disobedience to the laws is the path of patriotism, or treason to your country duty to God.

TO THE NEW YORK COMMITTEE.—GENTLEMEN, the character of Washington is among the most cherished contemplations of my life. It is a fixed star in the firmament of great names, shining without twinkling or obscuration, with clear, steady, beneficent light. It is associated and blended with all our reflections on those things which are near and dear to us. If we think of the independence of our country, we think of him whose efforts were so prominent in achieving it; if we think of the Constitution which is over us, we think of him who did so much to establish it, and whose administration of its powers is acknowledged to be a model for his successors. If we think of glory in the field, of wisdom in the cabinet, of the purest patriotism, of the highest integrity, public and private, of morals without a stain, of religious feelings without intolerance and without extravagance, the august *figure of* Washington presents itself as the personation of all *these ideas.*

It is wise and patriotic, therefore, that you commemorate your love of country, strengthen your resolution to maintain the Constitution, the Union, and the laws, by uniting to celebrate the anniversary of the birth of the great Father of his Country. You do well to call to memory his services, to revive in your own bosoms his love of liberty and order, and to draw in patriotic inspirations from his principles and his example. For these principles and this example, there will be found respect and admiration everywhere, where there is a true love for the institutions of the country. And every American may well doubt the patriotism of his own heart, when he finds that in that heart veneration for Washington begins to be languishing and dying away.

Gentlemen, the path of duty before you, and before me, is plain and broad; it is to do our duty and our whole duty, thoroughly and fearlessly; it is to embrace the free institutions of our country; and to hold them up, with all our might, as if it were our last struggle upon earth. And then, if the blood of civil war shall flow, it will not stain our garments. If disgraceful outrages, gaining strength by indulgence and temporary success, shall proceed from stage to stage, till they destroy the lives of men, women, and children, pull down and demolish the temples of justice, and even wrap cities in flames, you and I, and our character and memory, both now and with posterity, will at least escape the consuming conflagration of reproach.

I am, Gentlemen, your much obliged servant,

DANIEL WEBSTER.

INVITATION TO GEORGIA.

ADHERENCE TO THE CONSTITUTION.—Hold on, my friends, to the Constitution of your country, and the government established under it. Leave evils which exist in some parts of the country, but which are beyond your control, to the all-wise direction of an overruling Providence. Perform those duties which are present, plain, and positive. Respect the laws of your country, uphold our American institutions as far as you are able, consult the chart and the compass, keep an eye on the sun by day, and on the constellations, both of the South and the North, by night; and, always feeling and acting as if our united constitutional American liberty were in some degree committed to your charge, keep her, so far as it depends on you, clear of the breakers. Whatever latitudes you traverse, on whatever distant billows you

are tossed, let your country retain her hold on your affections. Keep her in your hearts, and let your carol to her ever be,—

> "Lashed to the helm,
> Should seas o'erwhelm,
> I'll think on thee."

I am, my friends, with sincere regard, your obliged fellow-citizen, and obedient servant,

DANIEL WEBSTER.

TO MARK A. COOPER, MACON, GEORGIA.

MEN MORE IMPORTANT THAN THINGS.—Men are more important than things.

My prayer to Heaven is, that, in the midst of all this "variety" pervading the several States, "order" may still be preserved among them all; and that the Constitution of this country, the main foundation on which this "order" rests, may be always loved and venerated by all, and continue forever as the greatest civil blessing for us and our posterity.

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